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ABSTRACT

This reference, published under provisions of the Adult Education Act and the Federal Advisory Committee Act, is designed to help members of the National Advisory Council on Adult Education and the public communicate more effectively and knowledgeably about terms, definitions, and organizations associated with adult learning. Subject areas defined or described include adult learning terminology, the Adult Education Act, the Federal Register, legislative terms, and school finance and tax terms. Directories are provided for adult education associations and organizations and selected presidential education advisory councils. In addition, names of members of the National Advisory Council on Adult Education are published. (KC)

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Terms, Definitions, Organizations and Councils Associated with Adult Learning

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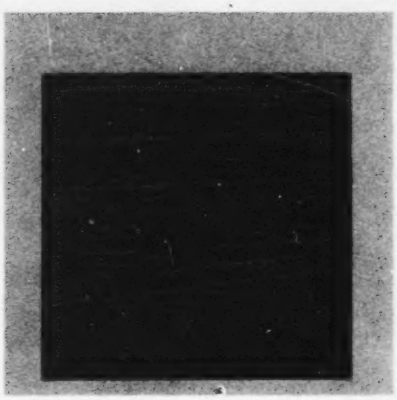
NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

July 1980



Learning never ends

CE 027 907

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NACAE
425 13th STREET, N.W. / PENNSYLVANIA BLDG. / SUITE 323 • WASHINGTON, D.C. 20004

COUNCIL MEMBERS

Noelia G. Baldazo
Seattle, Washington

Lily Lee Chen
Monterey Park, Calif.

Michael E. Crawford
Davenport, Iowa

Reva A. Crawford
Tahlequah, Oklahoma

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Miami, Florida

Leonard Schneiderman
Indianapolis, Indiana

Bobbie L. Walden
Montgomery, Alabama

James A. Woods, S.J.
Chestnut Hill, Mass.

* * * * * * * * * * * *

At the time this publication was being prepared, the appointment of five Council members expired. The Council is indebted to these five members for their assistance on this project.

Gertrude B. Calden
Santa Barbara, Calif.

Joan E. Kenney
Las Vegas, Nevada

Betty J. Mage
Vancouver, Washington

Lane Murray
Huntsville, Texas

John K. Wu
Ludlow, Vermont

* * * * * * * * * * * *

The Program Liaison Committee of the Council was responsible for assembling the information for this publication.

Lily Lee Chen, *Committee Chairperson*
Joan E. Kenney
Bernadette P. Phillips
John K. Wu
Gary A. Eyre, *Executive Director*

National Advisory Council on Adult Education

Sec. 313. (a) The President shall appoint a National Advisory Council on Adult Education (hereinafter in this section referred to as the "Council").

(b) The Council shall consist of fifteen members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult education, including education for persons of limited English-speaking ability in which instruction is given in English and, to the extent necessary to allow such persons to progress effectively through the adult education program, in the native language of such persons, and persons representative of the general public. The Council shall meet initially at the call of the Secretary and elect from its number a chairman. The Council will thereafter meet at the call of the chairman, but not less often than twice a year. Subject to section 448(b) of the General Education Provisions Act, the Council shall continue to exist until October 1, 1984.

(c) The Council shall advise the Secretary in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

(d) The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Education shall coordinate the work of the Council with that of other related advisory councils.

This report is published under provisions of the Adult Education Act and the Federal Advisory Committee Act.

National Advisory Council on Adult Education, 1980

July 1980

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INTRODUCTION

The National Advisory Council on Adult Education prepared several reports as part of a Council handbook and in preparation for public hearings on the reauthorization of the Federal Adult Education Act. That procedure produced information which will help Council members and the public communicate more effectively and knowledgeably about terms, definitions, and organizations associated with adult learning.

The information in this publication provides Council members and those individuals working in the field of adult education a valuable reference and resource.

Gary A. Eyre
Executive Director

ADULT LEARNING TERMINOLOGY

academic education The theoretical, the liberal, the speculative, and classical subject matter found to compose the curriculum of the public secondary school. (The Adult Education Act—P.L. 95–561.)

accountability Responsibility for a specified performance, outcome, result.

administration The function provided by management in the planning, organizing, initiating, coordinating, operating, evaluating and revising procedures; or programs directed towards the completion of an assigned task or achievement of a goal.

adult Any human being, past the age of puberty, who has discontinued his full-time attendance in a formal school situation, and functions in one or more adult life roles, viz, spouse, parent, worker, or any human being who has reached the legal and/or socially prescribed age for assumption of adult rights, privileges and responsibilities.

adult Any individual who has attained the age of sixteen. (The Adult Education Act—P.L. 95–561.)

adult basic education Any purposeful effort toward self-development in the basic skills of communication, computation, health, consumer development, and citizenship carried on by an adult who is generally classified as functionally illiterate or undereducated.

adult basic education Adult education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities. (The Adult Education Act—P.L 95–561.)

adult education A process by which the instructional needs of an adult, as perceived by themselves or others, are met through organized learning experiences.

adult education Services or instruction below the college level for adults who lack sufficient mastery of basic educational skills to enable them to function effectively in society or who do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and are not currently required to be enrolled in schools. (The Adult Education Act—P.L. 95–561.)

adult learner An adult who is enrolled in any course of study, whether special or regular, to develop new skills or qualifications, or improve existing skills and qualifications.

advisory council A group of persons created to give advice on a particular project, program or organization.

agency (1) An institution or group, formal or informal in structure, formed and operating to alleviate and to serve specific needs of individuals in a neighborhood, community or city; (2) a group of dedicated persons identified with a specific area of services.

ancillary services The supportive activities and resources necessary for the efficient achievement of the objectives of an organization or institution.

andragogy The art and science of teaching adults and of adult learning in a climate where the adult is given primary consideration: contrasted with pedagogy.

appraisal A general evaluation of an activity, program, experience, or achievement, often semi-intuitive and of limited sophistication.

apprenticeship A period of time during which a person learns a trade, skill, or role by practice and supervision.

assessment The process of measuring change which has been incurred by an educational experience.

associative learning Learning acquired by association of ideas, e.g., in identified relationship such as opposition, sequence, cause and effect.

attitude change Some degree of change in the internalized or personalized feelings one has about persons, places, things, or events. Although the change presents a shift in the individual's position, it may shift in either a negative or a positive direction from the original one.

audiovisual aids A broad range of devices used to enhance and facilitate information transfer, with emphasis on seeing and hearing, and ranging from simple classroom equipment (e.g., blackboard, felt board) to projected slides, maps or diagrams, sound recordings, silent or sound film strips, films, and videotapes.

bilingual education Historically considered to be a pretty pure form of simply teaching the individual to handle two different languages. Current emphasis is often placed on the teaching of English as a Second Language, for both the average foreign student and the culturally deprived.

brainstorming An unstructured, almost casual but highly supportive discussion of ideas with emphasis on rapid, free-wheeling production of a variety of inputs, as opposed to carefully considered, practical steps. All participants supposedly have the complete freedom to make suggestions. They should be positively supportive of the atmosphere, and generally quite willing at least to consider any suggestions offered by any member of the group.

career One's progress through life; one's advancement or achievement in a particular vocation or profession to which one gives a professional and personal commitment.

career education The conscious and structured effort on the part of an individual, either through their own or through beneficiary efforts of institutions, employers and technical and professional societies, to advance their proficiency, peer recognition and public acceptance in terms of occupational aims.

certificate of completion A document attesting to the fact that a person has completed a specific set of learning experiences under sufficient supervision to be sure that the awardee did the prescribed work. There may or may not be formal classes, formal reading, or formal examinations.

change agent Person, group or thing that effects or seeks to effect change—particularly an agent for change of social conditions.

citizen population The inhabitants of a city, town, state or country who are eligible to vote and participate in the deliberations of governmental processes.

citizenship education Teaching people how to become effective citizens.

class The basic unit in the organizational structure of most formal learning; generally a group of learners which meets regularly for a fixed term to be instructed in one or more subjects or in an entire curriculum. A recent trend has been toward a more open and flexible grouping of students, based on their own interests or abilities.

clientele That specific sub-group of the general population for which an institution, agency, or professional practitioner has a special interest, relationship and/or reason for being.

clock hour A total of sixty minutes of class work of instruction.

communication skills The capability for making oneself understood orally or in writing.

community college An educational institution above the high-school level offering educational and training opportunities in skills, subject matter and other allied areas. Activities and offerings may be with or without credit, the goal being to offer the people in the community the educational opportunities they lack and desire.

community development Educational efforts with individuals and groups for the purpose of improving the material, social, and aesthetic aspects of the life of the people living in a clearly defined geographical area.

community relations The reciprocal pattern of interaction among members of a community that persists over a period of time so that a stable set of social expectations develop.

community school program A program in which a public building, including but not limited to a public elementary or secondary school or a community or junior college, is used as a community center operated in conjunction with other groups in the community, community organizations, and local governmental agencies, to provide educational, recreational, cultural, and other related community services for the community that center serves in accordance with the needs, interests, and concerns of that community. (The Adult Education Act—P.L. 95–561.)

community service program An educational program, activity, or service including a research program and a university extension or continuing education offering, which is designed to assist in the solution of community problems in rural, urban, or suburban areas, with particular emphasis on urban and suburban problems, where the institution offering such programs, activity, or service determines; (1) that the proposed program, activity, or service is not otherwise available, and (2) that the conduct of the program or performance of the activity or service is consistent with the institution's over-all educational program and is of such a nature as is appropriate to the effective utilization of the institution's special resources and the competencies of its faculty. (The Higher Education Act—P.L. 94–482.)

community student An individual who attends a class regularly but who travels a certain distance back and forth to secure the course they desire or need.

competency The requisite ability to perform a specific task or qualify for a specific role; a functional qualification as opposed to a credential-based qualification.

conference An activity generally involving a large number of individuals sharing a common interest, planned for the dissemination of information to the participants and the collection of feedback from them in limited time. Usually included are expert speakers making single presentations or appearing on panels, alternating with small group discussion among the participants.

consultant Resource person available for expert or professional advice in the solution of a problem or achievement of a goal.

continuing education Any purposeful effort toward self-development carried on by an individual without direct legal compulsion and without such efforts becoming his major field of activity, with emphasis on university or senior college level efforts to provide this education.

continuing education program Postsecondary instruction designed to meet the educational needs and interests of adults, including the expansion of available learning opportunities for adults who are not adequately served by current educational offerings in their communities. (The Higher Education Act—P.L. 94–482.)

cooperation The working together toward a common end in a joint action.

cooperative education The linking of formalized education with the real world in which the learner is permitted the opportunity to apply that which is learned in a formal context to a problematic situation in the real world.

cooperative extension education A unique cooperative venture between federal, State, and county governments, with the State land-grant colleges serving as administrative centers. Heavy emphasis is on agriculture and home economics, but the program has expanded to include health, community development, conservation, and public affairs. It relies mostly on non-classroom methods.

coordination The function of bringing persons, groups, and institutions into unity for a common cause or common action.

coordinator The individual responsible for unifying individuals or groups working for a common cause or action.

correspondence education An educational process designed to transfer a given body of information, skills, or knowledge to learners living at some distance from the teaching institution. Usually, written or printed materials are sent by mail, providing the learner with structured units of information, assigned exercises for practice, and examinations to measure achievement. There is an increased use of a variety of teaching-learning media.

counseling The art of helping an individual to solve a problem adequately through personal interaction.

course A planned sequence of educational activity, leading to the acquisition of a skill or body of knowledge, usually over a predetermined period of time.

credit by examination (1) Credit earned through the applicant's successful completion of a proficiency test in place of performing activities ordinarily associated with formal course work; (2) the process of certifying achievement by systematic observation of desired behavior.

curriculum A planned sequence of several educational activities, leading to the ac-

quisition of specified skills or bodies of knowledge, either in a given period or in a given subject or group of subjects.

data Useful facts or information used in making decisions and drawing conclusions.

day care Provide for the direct care and protection of infants, preschool, and school age children outside of their own homes during a portion of a 24-hour day. (Rules and Regulations—Federal Register, April 3, 1980.)

delinquent person An individual who does not abide by and conform to societal behavioral standards that are acceptable to the majority within their environment.

diagnosis (1) The process or procedure of determining the nature of a problem or disorder; (2) a professional judgment made concerning a problem and possible solutions using tests and other appropriate devices.

diploma A certificate given by a school or educational institution testifying that a student has earned a degree or completed a course of study. A certificate conferring some honor or privilege.

disadvantaged person Given an idealized norm, any person who has not reached that norm because of external forces or conditions can be described as disadvantaged.

drop in An individual who participates or who reestablishes his participation in an educational activity on an informal, irregular basis.

dropout An individual who discontinues a course, program of study, or educational endeavor before completing the scheduled period of the activity.

education Any purposeful effort toward self-development carried on by an individual, or one that is planned to afford man the opportunity to continually structure and restructure his cognitive and affective worlds.

enrollee A person who signs up, enlists, volunteers, registers, or contracts to be a student, participant, learner, subject, or pupil in a course, class, workshop or other learning situation.

environment The conditions—physical, social, cultural, and psychological—that act upon and influence the life of an individual, group or community.

evaluation An appraisal of an activity, seeking to measure the extent to which the activity attained the objectives set forth.

evening college The division of an institution offering a program of college-level study in late afternoon or evening intended primarily for adults (but also servicing day-time students) and usually under a separate administrative unit.

expansion An increase in the number of agencies, institutions, and organizations—other than local educational agencies—used to provide adult education and support services plus one or both of the following two conditions: an increase in the number of adults least educated and most in need of assistance participating in the adult education program; and/or an increase in the percentage of these adults who met their educational objectives. (Rules and Regulations—Federal Register, April 3, 1980.)

experiential learning The active involvement and participation of the learner in a contrived or actual exercise that requires the learner to respond covertly or overtly. The learning activity is planned to provide the learner opportunity to actually experience that which is to be learned.

extension agent An individual who represents a college, university, or government agency and demonstrates operational techniques, teaches groups about valuable

information, or trains individuals or groups in new skills. Historically, extension agents became best known through their use by the U.S. Department of Agriculture.

extension education Education offered outside the formal framework of the regular-university, residential-setting, credit-giving approach. It ordinarily includes such methods as conferences, short courses, institutes, independent study, credit courses offered in off-campus settings or via television or other media.

facilitator An individual who, like a catalyst, makes particular action possible by his presence and his know-how.

family group Those individuals who by kinship, marriage or other affiliation interact as a primary reference group and consider themselves a household.

feedback A process by which useful data on a graduate or an aspect of a program or activity is made available to the individuals responsible for the program/activity or process. It is a corrective loop whereby information on a program, product or activity is recycled for program improvement and renewal.

forum (1) A single event, or a series of events, usually of brief duration (from an hour to less than one day) and usually open to a broad spectrum of individuals who gather to hear a speaker or speakers on a given topic. Generally, opportunities are provided to ask questions of the speaker, but with no structure for organized discussion or feedback; (2) in the abstract, it is also used to denote an opportunity, intended or not, for people to express their opinions.

functional illiteracy A quality attributed to an individual who lacks one, or a combination, of the basic skills necessary to communicate effectively in written or arithmetic forms.

functional literacy That amount of ability in reading and writing that will permit the individual to perform duties and assume responsibilities above the minimal level.

general education Broad-based education that is aimed at helping persons acquire an understanding and appreciation of their environment—with emphasis on the past, present and future.

general educational development test The GED Test is to provide a valid means of measuring the educational proficiency of these persons in comparison with high school graduates. Through achievement of satisfactory scores on a battery of GED Tests, adults may earn a high school equivalency credential, qualify for admission to college or other training programs, meet educational requirements for employment or promotion, satisfy educational qualifications for induction into the Armed Forces of the United States, and meet education requisites of state and local licensing boards for admission to licensing examinations for those occupations requiring educational competence at grade levels less than high school graduation. Thus, the basic purpose of the GED Tests is to provide a second chance for adults who did not complete their formal secondary schooling.

graduate A person who has satisfactorily completed certain prescribed requirements indicating they are ready to proceed to the next step or that he qualifies for a degree or a certain profession, occupation or position.

grant (Noun) A formal gift of something (e.g., money, land, or a right), usually executed for a designated purpose.

guidance A process of offering information and possible alternatives around the needs of the individual so that he can make his own choices and decisions.

high school completion (1) Satisfactory completion of a recognized secondary school curriculum (usually four years) leading to a diploma; (2) any satisfactory combination of day and night center high school courses that fulfills the time/activity requirements set by the state for a four-year high school diploma.

high school equivalency The granting of high school completion status by virtue of demonstrated ability, usually by written test, in lieu of fulfillment of regular course requirements.

homestudy Courses designed for persons unable to attend a class who can work alone at own speed with a minimum of professional assistance to obtain course credits, degrees, or competence in skills. Study is usually done by correspondence with occasional communication face-to-face or through the media.

industrial arts education programs Those education programs (A) which pertain to the body of related subject matter, or related courses, organized for the development of understanding about all aspects of industry and technology, including learning experiences involving activities such as experimenting, designating, constructing, evaluating, and using tools, machines, materials, and processes and (B) which assist individuals in the making of informed and meaningful occupational choices or which prepare them for entry into advanced trade and industrial or technical education programs. (The Vocational Educational Act—P.L. 94–482.)

inner city resident Any person living within a large city (over 100,000) and in that portion of such a city that is very close to the center of the city or is in the older, poorer, more run-down portion of that city. Inner city originally was a geographic reference. Now, however, the term means the slum section, and inner refers to differentiation from the suburbs or better-off sections of the city itself.

institute A series of meetings centering upon a particular subject area or problem, lasting one or more days, which are designed to prepare leaders for selected activities or to assist them in solving particular problems of mutual concern. The term frequently refers to the establishment of a special program for adult education. In this case, the term not only refers to the nature of the program but also includes information establishing the geographical location of the program, the nature of the clientele being served, and the educational technologies which are applied.

instructor The person responsible for organizing the teacher-student materials, equipment, facilities, curriculum and teaching methods necessary to enable the student enrolled to make progress toward the educational goals of both himself and society.

in-service training Various kinds of teaching-learning experiences, at least loosely described and defined, designed to help individuals already engaged in professions, vocations or occupations to perform more effectively that which they are already supposed to be doing reasonably well.

intern A supervised individual who applies a program of study in a real or simulated setting.

involved in the development of the plan The representatives of the various agencies and groups are given an opportunity to actively participate in all stages of formulating the plan. In this way, the regulations assure substantive involvement without prescribing the methods or mechanisms through which diverse involvement is achieved.

This allows maximum flexibility to a State educational agency while also assuring that token participation will not qualify a State to receive funds. This should not be interpreted to mean that a State educational agency is prohibited from altering its plan or program in the interest of meeting the educational needs of adults. A State educational agency develops procedures and methods for involving the required agencies and groups that best meet the particular needs, problems, and uniqueness of the respective State. (Rules and Regulations—Federal Register, April 3, 1980.)

lecture A formal, one-way verbal technique of communication in which the speaker conveys information to an audience on a specific subject in which the speaker hopefully possesses some expertise.

leisure education Learning activities designed to develop knowledges, insights, skills, attitudes, values, and interests related to the constructive use of leisure time.

liberal education Education that fosters an awareness and appreciation of the intellectual and aesthetic achievements of civilization, independence of mind, and critical, analytical and creative thought.

library A facility closely related to learning activities of adults, providing a variety of materials—book, non-book, multi-media—easily accessible to the persons for whom it is operated; a facility for assisting in acquiring needed data and information, developing a taste for furthering knowledge, developing/expanding a desire to continue learning.

lifelong learning The process by which an adult continues to acquire, in a conscious manner, formal or informal education throughout their life span, either to maintain and improve vocational viability or for personal development.

lifelong learning Includes, but is not limited to, adult basic education, continuing education, independent study, agricultural education, business education and labor education, occupational education and job training programs, parent education, postsecondary education, preretirement and education for older and retired people, remedial education, special educational programs for groups or for individuals with special needs, and also educational activities designed to upgrade occupational and professional skills, to assist business, public agencies, and other organizations in the use of innovation and research results, and to serve family needs and personal development. (The Higher Education Act—P.L. 94–482.)

local education agency A public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, except that, if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority. (The Adult Education Act—P.L. 95–561.)

manpower Human resources available to perform work.

manpower development The process of determining the optimum methods of developing and utilizing the human resources of a nation and/or organization. Includes identifying skills required, education, and development programs.

mentor A coach or tutor: an individual who sponsors, teaches and guides others.

migrant worker An individual that moves from one area to another for seasonal work.

minority group A segment of the population which differs from the majority of the population in terms of ethnic group, religion, race, and/or economy.

noncredit course A series of related educational meetings which are programmed and conducted under the auspices of an educational agency. Courses coming under this definition do not carry credit toward diplomas, certificates, or degrees.

norm (1) A standard of performance; (2) the level of achievement or performance of the model group of a population.

objective Aim or purpose of a course of action.

organization development The improvement of the structure, procedures, relationships, environmental quality, and productivity of a social system through development of increased competencies in its personnel.

out of school youth A school-aged person who has not completed an instructional program and who is not participating in an instructional program.

paraprofessional An intermediate skill level between professional and non-professional within a given occupational category.

pedagogy The Science or profession of teaching; also, the theory or the teaching of how to teach.

pre-service training Training received to prepare one to engage in the successful performance of a job or a task.

program The total set of procedures, methods, strategies, objectives, and arrangements which are provided in order to move a student or group of students through a series of educational activities, all of which are designed to achieve pre-determined instructional objectives.

psychometric Applying mathematical methods in analyzing psychological data; a psychological measure.

question-and-answer method An instructional method providing an exchange between an individual who makes an inquiry and an individual who has the competence to respond.

reading level The level of achievement reached by a reader as assessed by an informal inventory or a standardized test. Three reading levels are often considered: *Frustration level,* when the individual makes so many mistakes that he is uncomfortable; *Instructional level,* one grade placement above frustration level; and *Recreational level,* one grade placement above instructional level.

registrant A person who has registered for a particular educational program, but who may or may not actually participate in the program.

registration fee Charge assessed individuals or their sponsors, singly or in groups, for the right to participate in an educational experience. The fee may be nominal, covering the cost of registering and entering the fact upon a record, or the fee may cover any part of the cost of instruction and individual maintenance, including incidentals (e.g., overhead, use of libraries and computers, parking, meals, lodging).

rehabilitation To restore an object or person to a former condition of useful and meaningful capacity and efficiency.

reliability The extent to which a device will provide the same measurement when it is repeated.

remedial education An adult program designed to raise the level of competence of an individual

in basic subject areas to that which he should have reached during the time spent in elementary and secondary education. Level may be interpreted as that required to function adequately in present-day society. Adult Basic Education and High School Equivalency Programs may be considered examples.

resource person An individual whose experience and knowledge are of value in helping to plan, to operate efficiently, and to meet and solve problems.

retraining An educational process whereby selected clientele, who have acquired specific skills that seem outdated, are taught new skills designed to better prepare them for changing economic and social conditions. Retraining frequently involves the changing of attitudes and the acquisition of new knowledge prior to skill acquisition.

self-directed learning A systematic process in which an individual takes responsibility, in collaboration with others, for diagnosing his own learning needs, formulating his learning objectives, planning and engaging in a sequence of learning experiences to achieve these objectives, and evaluating progress toward these objectives.

seminar A group of individuals who meet regularly with a leader or teacher to explore and discuss selected problems or topics of mutual interest. The seminar frequently includes discussion of original research.

sequential learning A scheme of learning which provides for increasingly more difficult and abstract learning built upon previously acquired knowledge, skills, attitudes, and values, and which is planned to build cumulatively toward desired outcomes.

staff Personnel of an organization, from professional to custodial, who have assigned functions to carry out the purposes and objectives of the organization.

state education agency The State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools; or if there is a separate agency or officer primarily responsible for supervision of adult education in public schools, then such agency or officer may be designated for the purpose of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor. (The Adult Education Act—P.L. 95–561.)

student An individual who is participating in an educational program.

supervisor An individual who is assigned the responsibility of helping some or all staff members, of reviewing the work of another individual or group, and of rating the service in reference to acceptable standards.

teacher One who shares knowledge, insight, sensitivity and skills with persons in a learning situation.

teaching Facilitating the exploration of a body of knowledge and/or the development of a skill.

technical education (1) The body of knowledge that deals with technology; (2) a situation in which an area of ideas and concepts are related to skills.

trainee A person who is in the process of acquiring a definite and prescribed set of skills and qualifications.

training Learning experience leading to the acquisition of a skill.

underemployed person An individual whose skills/qualifications are greater than those required for the position he presently occupies.

unemployed person (1) Any person who is not working or who is not employed in some income-producing activity; (2) a person who wants to work, and is in the age bracket where it is expected that he or she will be self-supporting, who has a need for income, and is acceptable in the working force, but is not working.

unskilled worker Any employee whose work does not require specialized training or knowledge. Tasks are almost always physical in nature and of a routine character. The primary requirement is the ability to follow simple directions.

up-grading Raising the performance or educational level of individuals or organizations.

validity The extent to which a device measures what it purports to measure.

vocational education Any educational experience that is entered into in order to acquire the skills and knowledge necessary to perform a specified set of job-related goals.

vocational education Organized educational programs which are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree.(The Vocational Education Act—P.L. 94–482,)

volunteer An individual who performs a task without expecting some form of compensation for the service, time, or function performed.

workshop A teaching-learning experience in which a group of people come together for the specific purpose of both listening and doing. Emphasis is usually on active involvement by participants, e.g., discussion and working toward the solution of a problem-oriented situation. Frequently the participants have similar backgrounds and common interests.

THE ADULT EDUCATION ACT

Definitions

Sec. 303. As used in this title—

(a) The term "adult" means any individual who has attained the age of sixteen.

(b) The term "adult education" means services or instruction below the college level (as determined by the Commissioner), for adults who—

(1) lack sufficient mastery of basic educational skills to enable them to function effectively in society or who do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

(2) are not currently required to be enrolled in schools.

(c) The term "adult basic education" means adult education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view of making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

(d) The term "Commissioner" means the Commissioner of Education.

(e) The term "Community school program" is a program in which a public building, including but not limited to a public elementary or secondary school or a community or junior college, is used as a community center operated in conjunction with other groups in the community, community organizations, and local governmental agencies, to provide educational, recreational, cultural, and other related community services for the community that center serves in accordance with the needs, interests, and concerns of that community.

(f) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools, except that, if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

(g) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico and (except for the purposes of section 305(a)) Guam, American Samoa, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and the Virgin Islands.

(h) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools; or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools, then such agency or officer may be designated for the purpose of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.

(i) The term "academic education" means the theoretical, the liberal, the speculative, and classical subject matter found to compose the curriculum of the public secondary school.

(j) The term "institution of higher education" means any such institution as defined by section 801(e) of the Elementary and Secondary Education Act of 1965.

These definitions are from the Adult Education Act: P.L. 91–230 as amended by P.L. 95–561.

THE FEDERAL REGISTER

April 3, 1980

RULES AND REGULATIONS

Part XVI—Office of Education, Adult Education State-Administered Program

§ 166.4[1] What definitions apply to the adult education programs?

(a) *Statutory definitions.* The following terms used in this part are defined in section 303 of the Act:

(1) The term "adult" means any individual who has attained the age of sixteen.

(2) The term "adult education" means services or instruction below the college level (as determined by the Commissioner), for adults who—

(i) Lack sufficient mastery of basic educational skills to enable them to function effectively in society or who do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education; and

(ii) Are not currently required to be enrolled in schools.

(3) The term "adult basic education" means adult education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

(4) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico and (except for the purposes of section 305(a)) Guam, American Samoa, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and the Virgin Islands.

(5) The term "institution of higher education"means any such institution as defined by section 801(e) of the Elementary and Secondary Education Act of 1965.

(b) *Definitions in EDGAR.* The following terms used in this part are defined in Part 100c:

(1) Applicant
(2) Application
(3) Award
(4) Budget period
(5) Commissioner
(6) Local educational agency
(7) Nonprofit
(8) Private
(9) Project
(10) Project period
(11) Public
(12) State educational agency

(c) *Definitions in Part 74.* The following terms used in this part are defined in 45 CFR Part 74:

(1) Budget
(2) Grant
(3) Grantee
(4) Subgrant
(5) Subgrantee

(d) *Program definitions.* The following definitions also apply to the adult education programs:

(1) "Act" means the Adult Education Act (20 U.S.C. 1201 *et seq.*).

(2) "Expansion" means that the State educational agency has increased during the period covered by the three-year plan—

(i)The number of agencies, institutions, and organizations—other than local educational agencies—used to provide adult education and support services; and

(ii) One or both of the following:

[1] Definitions using DHEW, Office of Education, and Commissioner will be changed to reflect the U.S. Education Department structure and statutes.

(A) The number of adults least educated and most in need of assistance participating in the adult education program.

(B) The percentage of adults least educated and most in need of assistance who met their educational objectives.

(3) "Immigrant," as used in this part, means any refugee admitted (paroled) into this country or any alien except one who is exempt under the provisions of the Immigration and Nationality Act, as amended.

(4) "Indochina refugee," as defined in the Indochina Migration and Refugee Assistance Act of 1975, as amended by Pub. L. 94–313, and as used in this part, means an alien who because of persecution or fear of persecution on account of race, religion, or political opinion, fled from Cambodia, Vietnam, or Laos; cannot return there because of fear of persecution on account of race, religion, or political opinion; and is in urgent need of assistance for the essentials of life.

(5) "Institutionalized person" means an adult, as defined in the Act, who is an inmate, patient, or resident of a special institution.

(6) "Limited English proficiency" or "limited English language skills" refers to difficulty in speaking, reading, writing, or understanding the English language so that adults are denied the opportunity to learn successfully in a learning environment where the language of instruction is English.

(7) "Outreach" means activities designed to—

(i) Inform adult populations who are least educated and most in need of assistance of the availability and benefits of the adult education program; and

(ii) Assist these adult populations to participate in the program by providing reasonable and convenient access.

April 3, 1980

RULES AND REGULATIONS
Education Division
General Administrative Regulations (EDGAR)

Part II—Department of Health, Education, and Welfare—Office of Education

§100c.1[1] Definitions that apply to all Education Division programs.

(a) Unless a statute or regulation provides otherwise, the definitions in this section apply to the regulations for—

(1) The Museum Services Program (45 CFR Part 64);

(2) Programs of the Office of Education (45 CFR Parts 100–199);

(3) Programs of the National Institute of Education (45 CFR Parts 1400–1499); and

(4) Programs of the Office of the Assistant Secretary for Education (45 CFR Parts 164 and 1501).

(b) The following definitions in 45 CFR Part 74 apply to the regulations listed in paragraph (a) of this section. The section of 45 CFR Part 74 that contains the definition is given in the parentheses.

"Budget" (74.104)

"Contract" (includes definition of "Subcontract") (74.3)

"Equipment" (74.132)

"Federally recognized Indian tribal government" (74.3)

"Grant" (74.3)

"Grantee" (74.3)

"HEW" (74.3)

"Local government" (74.3)

"Personal property" (74.132)

"Real property" (74.132)

"Recipient" (74.3)

"Subgrant" (74.3)

"Subgrantee" (74.3)

"Supplies" (74.132)

(c) The following definitions also apply to the regulations listed in paragraph (a) of this section:

"Acquisition" means taking ownership of property, receiving the property as a gift, entering into a lease-purchase arrangement, or leasing the property. The term includes processing, delivery, and installation of property.

"Applicant" means a party requesting a grant or subgrant under a program of the Education Division.

"Application" means a request for a grant or subgrant under a program of the Education Division.

[1] Definitions using DHEW, Office of Education, and Commissioner will be changed to reflect the U.S. Education Department structure and statutes.

"Appropriate official of the Education Division" means the official that has overall administrative responsibility for an Education Division program. Depending on the statutory authority for a given program, that official is one of the following:

(a) The Assistant Secretary.

(b) The Commissioner.

(c) The Director of the National Institute of Education.

(d) The Director of the Institute of Museum Services.

"Assistant Secretary" means the Assistant Secretary for Education of the Department of Health, Education, and Welfare or an official or employee of the Education Division acting for the Assistant Secretary under a delegation of authority.

"Award" means an amount of funds that the Education Division provides under a grant or contract.

"Budget period" means an interval of time into which a project period is divided for budgetary purposes.

"Commissioner" means the U.S. Commissioner of Education or an official or employee of the Office of Education acting for the Commissioner under a delegation of authority.

"Department" means the U.S. Department of Health, Education, and Welfare.

"Director of the Institute of Museum Services" means the Director of the Institute of Museum Services or an officer or employee of the Institute of Museum Services acting for the Director under a delegation of authority.

"Director of the National Institute of Education" means the Director of the National Institute of Education or an officer or employee of the National Institute of Education acting for the Director under a delegation of authority.

"EDGAR" means the Education Division General Administrative Regulations (45 CFR Parts 100a, 100b, 100c, and 100d).

"Education Division" means the HEW agency, headed by the Assistant Secretary, that is composed of—

(a) The Office of the Assistant Secretary (which includes the National Center for Education Statistics);

(b) The Office of Education;

(c) The National Institute of Education; and

(d) The Institute of Museum Services.

"Elementary school" means a day or residential school that provides elementary education, as determined under State law.

"Facilities" means one or more structures in one or more locations.

"Fiscal year" means the Federal fiscal year—a period beginning on October 1 and ending on the following September 30.

"GEPA" means The General Education Provisions Act.

"Grant period" means the period for which funds have been awarded.

"Local educational agency" means—

(a) A public board of education or other public authority legally constituted within a State for either administrative control of or direction of, or to perform service functions for, public elementary or secondary schools in—

(1) A city, county, township, school district, or other political subdivision of a State; or

(2) Such combination of school districts or counties a State recognizes as an administrative agency for its public elementary or secondary schools; or

(b) Any other public institution or agency that has administrative control and direction of a public elementary or secondary school.

(c) As used in 45 CFR Parts 104 and 105 (vocational education programs), the term also includes any other public institution or agency that has administrative control and direction of a vocational education program.

"Minor remodeling" means minor alterations in a previously completed building. The term also includes the extension of utility lines, such as water and electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of the previously completed building. The term does not include building construction, structural alterations to buildings, building maintenance, or repairs.

"Nonprofit," as applied to an agency, organization, or institution, means that it is owned and operated by one or more corporations or associations whose net earnings do not benefit, and cannot lawfully benefit, any private shareholder or entity.

"Nonpublic," as applied to an agency, organization, or institution, means that the agency, organization, or institution is nonprofit and is

not under Federal or public supervision or control.

"*Preschool*" means the educational level from a child's birth to the time at which the State provides elementary education.

"*Private,*" as applied to an agency, organization, or institution, means that it is not under Federal or public supervision or control.

"*Project*" means the activity described in an application.

"*Project period*" means the period for which the appropriate official of the Education Division approves a project.

"*Public,*" as applied to an agency, organization, or institution, means that the agency, organization, or institution is under the administrative supervision or control of a government other than the Federal Government.

"*Secondary school*" means a day or residential school that provides secondary education as determined under State law. In the absence of State law, the Commissioner may determine, with respect to that State, whether the term includes education beyond the twelfth grade.

"*Secretary*" means the Secretary of the Department of Health, Education, and Welfare, or an official or employee of the Department acting for the Secretary under a delegation of authority.

"*Service function,*" with respect to a local educational agency—

(a) Means an educational service that is performed by a legal entity—such as an intermediate agency—

(1)(i) Whose jurisdiction does not extend to the whole State; and

(ii) That is authorized to provide consultative, advisory, or educational services to public elementary or secondary schools; or

(2) That has regulatory functions over agencies having administrative control or direction of public elementary or secondary schools.

(b) The term does not include a service that is performed by a cultural or educational resource.

"*State*" means any of the 50 States, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, the Northern Mariana Islands, or the Trust Territory of the Pacific Islands.

"*State educational agency*" means the State board of education or other agency or officer primarily responsible for the supervision of public elementary and secondary schools in a State. In the absence of this officer or agency, it is an officer or agency designated by the Governor or State law.

"*Work of art*" means an item that is incorporated into facilities primarily because of its aesthetic value.

Subpart A—General

§ 74.3 Definitions.

As used in this part:

"Awarding party" means (1) with respect to a grant, the granting agency, and (2) with respect to a subgrant, the grantee. (See § 74.4(b))

"Contract" means (except as used in the definitions for "grant" and "subgrant" in this section and except where qualified by "Federal") a procurement contract under a grant or subgrant, and "subcontract" means a procurement subcontract under such a contract.

"Cost-type contract" means a contract or subcontract in which the contractor or subcontractor is paid on the basis of the costs it incurs, but the term does not include such subcontracts under a noncost-type contract or subcontract.

"Expenditure report" means: (1) For nonconstruction grants, the "Financial Status Report" (or other equivalent report); (2) for construction grants, the "Outlay Report and Request for Reimbursement for Construction Programs" (or other equivalent report). (See subpart I of this part.)

"Federally recognized Indian tribal government" means the governing body or a governmental agency of any Indian tribe, band, nation, or other organized group or community (including any Native village as defined in section 3 of the Alaska Native Claims Settlement Act, 85 Stat. 688) certified by the Secretary of the Interior as eligible for the special programs and services provided by him through the Bureau of Indian Affairs. However, for policies applicable to tribal government hospitals and institutions of higher education, see § 74.4(c), "Applicability of this part."

"Government" means a State or local government or a Federally recognized Indian tribal government. However, for policies applicable to government hospitals and institutions of

higher education, see § 74.4(c), "Applicability of this part."

"Grant" means an award of financial assistance in the form of money, or property in lieu of money, by the Federal Government to an eligible recipient. The term includes such financial assistance when provided by contract, but does not include any Federal procurements subject to the procurement regulations in 41 CFR, nor does it include technical assistance, which provides services instead of money, or other assistance in the form of revenue sharing, loans, loan guarantees, interest subsidies, insurance, or direct appropriations. Also, the term does not include assistance, such as a fellowship or other lump sum award, which the recipient is not required to account for on an actual cost basis.

"Grantee" means the government, nonprofit corporation, or other legal entity to which a grant is awarded and which is accountable to the Federal Goverment for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the award document. For example, a grant award document may name as the grantee an agency of a State, or one school or campus of a university. In these cases, the granting agency usually intends, or actually requires, that the named component assume primary or sole responsibility for administering the grant-assisted project or program. Nevertheless, the naming of a component of a legal entity as the grantee in a grant award document shall not be construed as relieving the whole legal entity from accountability to the Federal Government for the use of the funds provided. (This definition is not intended to affect the eligibility provisions of grant programs in which eligibility is limited to organizations, such as State welfare departments, which may be only components of a legal entity.) The term "grantee" does not include any secondary recipients such as subgrantees, contractors, etc., who may receive funds from a grantee pursuant to a grant.

"Granting agency" means any organizational component of HEW authorized to award and administer grants.

"HEW" means the U.S. Department of Health, Education, and Welfare.

"Local government" means a local unit of government including specifically a county, municipality, city, town, township, local public authority, school district, special district, intrastate district, council of governments (whether or not incorporated as a nonprofit corporation under State law), "sponsor or sponsoring local organization" of a watershed project (as defined in 7 CFR 620.2, 40 FR 12472, March 19, 1975), any other regional or interstate government entity, or any agency or instrumentality of a local government. However, for policies applicable to government hospitals and institutions of higher education, see § 74.4(c), "Applicability of this part."

"OGP" means the Office of Grants and Procurement, which is an organizational component within the Office of the Secretary, HEW, and reports to the Assistant Secretary for Management and Budget.

"OMB" means the Office of Management and Budget within the Executive Office of the President.

"Recipient" means grantee or subgrantee. (See § 74.4(b).)

"State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of a State exclusive of local governments. However, for policies applicable to government hospitals and institutions of higher education, see § 74.4(c), "Applicability of this part."

"Subgrant" means an award of financial assistance in the form of money, or property in lieu of money, made under a grant by a grantee to an eligible subgrantee. The term includes financial assistance when provided by contract, but does not include procurements; nor does it include any form of assistance which is excluded from the definition of "grant" in this section.

"Subgrantee" means the government, nonprofit corporation, or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. The subgrantee is the entire legal entity even if only a particular component of the entity is designated in the subgrant award document.

"Terms of a grant or subgrant" means all requirements of the grant or subgrant, whether in statute, regulations, the award document or elsewhere.

§ 74.104 Budgets generally.

(a) *Definitions.* In this subpart:

(1) "Budget" means the recipient's financial plan for carrying out the project or program.

(2) "Approved budget" means a budget (including any revised budget) which has been approved by the awarding party.

(b) *Research project budgets.* For research projects, approved budgets shall not include the recipient's share of project costs.

(c) *Non-research project budgets.* For non-research projects which involve cost sharing or matching, approved budgets shall ordinarily consist of a single set of figures covering total project cost (the sum of the awarding party's share and the recipient's share). However, the awarding party may specify that the recipient's share not be included in the approved budget. In no case, however, shall the approved budget be in the form of a separate set of figures for each share.

(d) *Subdivision by programmatic segments.* Some grants and subgrants encompass two or more programmatic segments (such as discrete programs, projects, functions, or types of activities). In these cases, the awarding party may require that the approved budget be subdivided to show the anticipated cost of each programmatic segment.

§ 74.132 Definitions

As used in this subpart:

"Acquisition" of property includes purchase, construction, or fabrication of property, but does not include rental of property or alterations and renovations of real property.

"Acquisition cost" of an item of purchased equipment means the net invoice price of the equipment, including the cost of modifications, attachments, accessories, or auxiliary apparatus necessary to make the equipment usable for the purpose for which it was acquired. Other charges such as the cost of installation, transportation, taxes, duty or protective in-transit insurance shall be included in or excluded from the unit acquisition cost in accordance with the regular accounting practices of the organization purchasing the equipment. If the item is acquired by trading in another item and paying an additional amount, "acquisition cost" means the amount received for trade-in plus the additional outlay.

"Amount received for trade-in" of an item of equipment traded in for replacement equipment means the amount that would have been paid for the replacement equipment without a trade-in minus the amount paid with the trade-in. The term refers to the actual difference, not necessarily the trade-in value shown on an invoice.

"Equipment" means tangible personal property having a useful life of more than one year and an acquisition cost of $300 or more per unit except that organizations subject to Cost Accounting Standards Board (CASB) regulations may use the CASB standard of $500 or more per unit and useful life of two years. An organization may use its own definition of equipment:

Provided, That such definition would at least include all tangible personal property as defined herein.

"Personal property" means property of any kind except real property. It may be tangible—having physical existence, or intangible—having no physical existence, such as patents, inventions, and copyrights.

"Real property" means land, including land improvements, structures and appurtenances thereto, but excluding movable machinery and equipment.

"Replacement equipment" means property acquired to take the place of other equipment. To qualify as replacement equipment, it must serve the same function as the equipment replaced and must be of the same nature or character, although not necessarily the same model, grade, or quality.

"Supplies" means all tangible personal property other than equipment.

LEGISLATIVE TERMS[1]

act, law, statute A legislative measure that has been passed by both houses of Congress and has been signed by the President, passed over his veto or allowed to become effective without his signature, i.e., a valid enactment. Although "act," "law" and "statute" are synonyms in this glossary, statute may also be defined as a formal written expression of the legislative will, thus distinguishing it from both unwritten and common (court made) law. *See also Law.*

adjournment *sine die* Literally, "adjournment without a day." Adjournment without naming a day for reconvening. Usually refers to the end of a session of Congress. Adjournment at the end of the second session terminates that Congress. Strictly speaking, Congress as such does not adjourn or convene; the separate houses do so. If the two disagree as to the time of adjournment, the President may adjourn them; but this power has never been used. Adjournment *sine die* is a fiction, of course, since the opening date of the next session is agreed upon by the leadership and is part of the motions to adjourn. *See also Congress and Session.*

administration bill (1) A legislative proposal transmitted in draft form by a Cabinet member, the head of an independent agency or the President to the House and Senate for introduction, usually by the chairpersons of the appropriate standing committees. The Constitution states that the President shall from time to time recommend to Congress the "consideration of such measures as he shall judge necessary and expedient." (2) A bill submitted by a leading member of the President's party and understood to have the strong support and approval of the Administration. Within recent years, many important measures have originated within the Executive Branch.

advance funding An appropriation providing funds for use in a fiscal year one or more years after the year for which the appropriation was enacted. Advance funding gives state and local governments an additional year in which to plan, with certainty, that funds will be available. Advance funding should be distinguished from "forward funding," which permits agencies to obligate (spend or commit) funds in the current fiscal year for programs that are to operate in subsequent fiscal years.

allocation Under certain federal grant-in-aid programs, the process of dividing appropriated funds equitably among the states (or other jurisdictions) in accordance with specified formulas based on such criteria as population, per capita income or the relative prevalence of the problems intended to be solved. Also, the process of further distributing state allotments among the ultimate recipients, such as school districts, within the states.

In many programs, each state is awarded a base amount plus additional funds alloted by formula. Receipt of funds may depend on the submission of an acceptable state plan detailing the further distribution of funds ac-

[1] Many of the terms were obtained from *a Glossary of Legislative Terms* published by the National School Boards Association.

cording to stated priorities. If a state or other unit fails to apply or does not qualify, its presumed allotment may be redistributed among the others. Both the state and federal levels may be allowed to retain a percentage of the appropriated funds for administration, and sometimes for discretionary awards not governed by the general formula. *See also Local Entitlement.*

amendment (1) Subsequent legislation to alter, repeal or add to all or part of an existing law. An amendment in this sense is introduced as a bill, is acted upon in the usual way and signed by the President, as a public law. The revisions called for by amendments may range from technical or editorial changes to sweeping alterations in basic policy. The affected law may be reprinted as a compilation, *q.v.*, to incorporate such revisions.

(2) An amendment to a bill is language offered by a member, in committee or on the floor, to alter the effect of a proposed measure by changing or deleting matter, or to add provisions that may or may not be relevant. Amendments may be introduced at several points in the legislative process. *See also Germaneness; Rider.*

apportionment The Constitution provides that Congress shall apportion membership in the House of Representatives according to a decennial census, with each state to have at least one representative. Following the Apportionment Act of 1941, the process has been almost automatic, requiring only the review of Congress. Apportionment has been readjusted in every decade since 1870, except after the census of 1920. In 1929, the total number of representatives was fixed by law at 435, with the result that growth in one group of states means a loss of numerical representation for others.

When a state has only one representative, election is necessarily "at large." In states with more than one representative, each must represent a separate district and at large representation is not allowed. After reapportionment, each state may redistrict internally according to its own election laws. Within each state, districts must be substantially equal in population. Currently, the typical district in any but the smaller states has a population of somewhat less than one-half million. *See also Congress, Composition of House and Senate.*

appropriation An act of Congress that permits agencies to incur obligations and make payments out of the Federal Treasury for specified purposes, but not necessarily in the amounts indicated by the authorizing legislation. Appropriations are characterized by their period of availability (one-year, multiple-year, no-year); the timing of Congressional action (temporary or permanent); and the way in which the amounts are indicated (definite or indefinite).

While appropriations bills are almost always introduced in the House, they are referred to committee, debated, amended and voted on by both houses. The Constitution specifies that all revenue (tax) measures must be initiated by the House; as a matter of practice, this rule has been extended to include spending measures as well. General appropriations are supposed to be enacted prior to the fiscal year to which they apply. In actuality, this may fail to happen and a continuing resolution, *q.v.*, must be passed to keep the affected agencies in operation. *See also Authorization; Supplemental Appropriation.*

authorization An act approving a project, program or activity, outlining its purposes and procedures, assigning authority for its administration and, usually, fixing

maximum amounts to be expended upon it. Authorizing legislation may establish appropriations ceilings for specific fiscal years or, less frequently today, it may call for "such sums as Congress may deem necessary." Authorization is the first step in the expenditure of funds, appropriations being the next. *See also Appropriation; Full Funding.*

bicameral legislature A legislature made up of two houses or chambers, e.g., the Senate and House of Representatives, which must concur in the passage of legislation. This structure, which was arrived at as one of the important compromises in the drafting of the Constitution, has been followed by all of the states, with the exception of Nebraska, which has had a unicameral (one-house) legislature since 1934.

bill The draft of a proposed law from the time of its introduction in either house, through all of the various stages in both houses, until its approval by the President or passage over his veto, when it becomes a law. Most proposals in Congress take the form of bills. Public bills deal with matters of national importance and are intended to create general law. Private bills, *q.v.*, seek relief for individuals with regard to immigration and naturalization, claims against the United States, etc. *Compare Concurrent Resolutions, Joint Resolutions.*

bill drafting A legislative proposal must be expressed in concise terms to carry out the intent of its sponsors, avoid conflict with existing laws and guard against annulment in the courts. Since 1918, each congressional house has had an Office of Legislative Counsel prepared to offer technical assistance to the members. Many organizations interested in legislative developments employ expert draftsmen to prepare specialized language for bills and amendments to be submitted by members. Thus, bill drafting may be part of the work of a lobbyist.

bill numbering Bills are numbered in each house in the order of their introduction, from the beginning of each two-year Congress, and bear the designation of the house in which they originated, e.g., S. 63, H.R. 1639. Pending bills lapse at the end of the Congress. If they are re-introduced, they are numbered as new bills and enter the process from the beginning. When a bill is passed by one house and submitted to the other, it retains its number and is reprinted with a notation to the effect that it is "in the" House or Senate.

block grant A financial grant from one level of government to another that allows complete or at least fairly wide discretion on the part of the recipient, whose use of the funds would be limited, at the outside, by nothing more than its own organic act or charter. *Compare Categorical Programs.*

budget A balanced estimate of expenditures and revenues for a stated fiscal period, for the purpose of effectuating an orderly financial policy. Traditionally, the preparation of the budget is one of the prime responsibilities of the executive branch under a representative form of government.

categorical programs Grant-in-aid programs designed to deal with specific problems, implement narrowly defined policies and priorities, or benefit certain classes of recipients. Awards are made upon review of applications or proposals, often unsolicited. Several hundred federal categorical programs are believed to exist, each with its own guidelines, regulations, reports, rules of eligibility and entrenched bureaucracy. The same pattern exists at the state level. *Compare Block Grants.*

clerk of the house Chief administrative officer of the House (not a member), with duties similar to those of the Secretary of the Senate. He is a continuing officer whose duties do not terminate upon adjournment *sine die*, and presides at the opening of the newly-convened House until a Speaker is elected. He attests bills, resolutions and subpoenas, is custodian of the Seal, prepares the roll of members-elect, supervises House personnel and generally takes care of the House-keeping.

cloture A parliamentary device for halting debate and bringing an issue to a vote, used in the Senate to end filibusters. A vote to invoke cloture must be taken within two days after a petition has been submitted by 16 senators. If three-fifths of the entire membership (60 if there are no vacancies) votes for cloture, each senator will be allowed up to one hour of debate on the pending bill; then the measure must be brought to a final vote. Successful cloture in the Senate is rare (between 1917 and 1976, only 28 out of 108 attempts were carried). In the House, termination of debate may be accomplished by a majority vote on the previous question—a usual way of bringing a bill to a vote.

committee Where most legislative work is done. A designated body of either house, empowered to examine and report on pending legislation, or conduct investigations and studies as directed by the parent body. Types include joint committees, standing committees and select or special committees. Conference committees have the duty of reconciling differences between House and Senate versions of bills. Most standing committees are divided into subcommittees appointed by their chairmen, which conduct hearings as directed and offer recommendations to their full committees. Only full committees, however, may report legislation to the floor. *See also Committee Membership; Committee Report; Conference Committee; Hearings; Standing Committees.*

committee membership Membership and rank on standing committees are largely determined by the seniority rule and the chairman, usually, is the majority member with the longest continuous service on the committee. The election of committee members takes place at the commencement of each two-year Congress. Formally, election is a function of the entire membership, but the actual choices tend to be made by each party's House or Senate caucus.

On each committee, majority and minority parties secure seats according to ratios agreed upon by the party leadership, roughly in proportion to their respective strengths in either house. The rule adopted by the 94th Congress, and continued by the 95th, gave the Democrats twice as many seats as the Republicans, plus one, on every House committee except Standards of Official Conduct and the Committee for the District of Columbia, which had two or three extra Democrats. The Senate has similar ratios, but a less rigid rule of proportion. In 1978, standing committees ranged in size from 12 to 55 members, the largest being the House Committee on Appropriations. *See also Conference Committee.*

committee of the whole To expedite the consideration of bills and resolutions, the House may resolve itself into the "Committee of the Whole House on the State of the Union." This parliamentary device allows it to act with a quorum of 100 members instead of the normally requisite 218. All measures on the Union Calendar (tax measures, appropriations and authorizations of payments) must have their first consideration in Committee of the Whole.

Measures debated in Committee of the Whole must have been reported by the appropriate committees and be on the Union Calendar. When the House sits as Committee of the Whole, a chairman takes the place of the Speaker and the measure is debated and amendments voted upon, to the extent permitted by the special ruling of the House Committee on Rules if as ordinarily the case, one has been granted. Upon completion of its deliberations, the Committee "rises," the Speaker resumes his place, and the full House hears and votes upon the Committee's recommendations. Prior to rules changes in 1971, voting positions taken in Committee of the Whole were never recorded.

committee report The findings and recommendations of a standing committee of either house after examining, amending and voting upon a referred measure; the act of bringing such a bill to the entire house for action on the floor. House and Senate committee reports are designated "H. Rept." or "S. Rept." respectively, and are numbered sequentially, with a prefix indicating the Congress. Some committee reports relate to special studies or investigations, rather than to specific legislation, although these may eventually give rise to legislation.

After examining a bill, the full committee may do one of several things. It may:

(1) Report the bill favorably, recommending ". . . that the bill do pass." After that, it may be the task of the chairperson to guide the bill through debate and passage.
(2) Refuse to report the bill; table it or let it die unreported. This happens to the majority of all bills, and many of them deserve their fate. If a committee pigeonholes a bill that a majority of the House wants to consider, it can be "blasted out" through the use of the discharge rule (*See Discharge a Committee*), but this isn't often successful.
(3) Report the bill with an unfavorable recommendation. This is rare, but it can happen when the committee senses a demand for the bill on the part of a number of members, and doesn't want to take responsibility for killing it.
(4) Report the bill in an amended form. Many bills are substantially altered in committee, and several bills on the same subject may be combined to produce one that can be reported with a recommendation.
(5) Report a "committee bill." In effect, this is an entirely new bill which the committee has created in place of the one or more submitted to it. The chairperson reports this new bill, and it goes on from there. House and Senate practices with respect to committee reports are generally similar.

Typically, a favorable committee report contains recommendations, an explanation of the committee's findings, the text of the bill with alterations indicated and a section-by-section analysis of its provisions. Space is allowed for additional, supplementary, and minority statements. Under recent legislation, cost estimates must be included. *See also Conference Committee; Intent of Congress.*

companion bills Bills in identical form introduced at approximately the same time in each house, in order to facilitate the legislative process. Because they must go through separate processes of mark-up and amendment, the companion bills may lose their identical character and acquire differences that must be resolved in conference.

concurrent resolution

Any matter affecting the operations or interests of both houses may become the subject of a concurrent resolution. While these must be passed by both houses, they do not become law. They are used to express the principles, opinions and purposes of the two houses, create joint committees, to establish budget ceilings under the recent Congressional Budget and Impoundment Control Act. If approved by both houses, they are published in the *United States Statutes at Large*, but are not submitted to the President. At times, concurrent resolutions are used to express the sense of Congress deploring some event or situation well outside the reach of the legislative power.

conference committee

A meeting of conferees or "managers" from each house, appointed to reconcile differences when a bill passed by one house is amended by the other, and the first does not concur in the amendments, or when versions of a bill passed by the respective houses differ in some substantial way. In a *simple conference* the conferees are bound by their instructions. In a *free conference* they may bargain, within limits. Since their deliberations are limited to areas of disagreement, they may not write and report new legislation.

A report is made if a majority from each house agree. Although the managers from each house meet as one committee, they are in effect two separate committees, each of which votes separately and acts by a majority vote. For this reason, the number of managers from each house is not particularly important. The report may recommend that either or both houses "recede" from their amendments, or "concur" in those of the other.

The house that agreed to the conference requested by the other is the first to act on the report. As the house voting first, it has three options: it may approve the report, reject it or send it back to conference. If it votes to approve, this action has the effect of discharging the conferees, with the result that the other house has only two options; to accept or reject the report. Conference report may not be amended on the floor.

Conferees, usually ranking members of the committees reporting the bills, are appointed by the presiding officers of their houses. Rules adopted at the beginning of the 94th Congress require conferences to be open, unless a majority of either chamber's conferees vote to close the session. A large part of all major legislation goes through conference and is revised, sometimes drastically. All appropriations bills go to conference, where the usual result is compromise between the higher and lower amounts proposed by the respective houses.

congress and session

A Congress extends over two calendar years, from January 3rd following the general elections ("unless Congress should by law appoint another date"), until final adjournment in September or October two years later, with breaks and recesses. Strictly speaking, Congress as such does not adjourn; the separate houses do so.

Each Congress is divided into two sessions, roughly corresponding to calendar years. Prior to the ratification of the Twentieth Amendment (1933), Congresses were divided into alternate "long" and "short" sessions. At present, they are of about the same duration, and being a congressman is a full-time job. Congresses have been numbered in sequence since the First Congress; sessions are designated as the first or second. Thus, Congressional documents are numbered by Congress and session, e.g., 94th Cong.,

2d Sess. might appear on a report. Public laws are numbered by the Congress in which they were enacted, plus a sequential number, e.g., P.L. 95–588, the last law of the 95th Congress. *See also Congress, Composition of House and Senate.*

congress, composition of house and senate

The House of Representatives comprises 435 members elected every two years from among the 50 states, their numbers being apportioned according to population, except that each state must have at least one representative. Beginning with 65 members in the First Congress (1789), the House reached 435 members in 1913. This number was made permanent by law in 1929, although it was increased temporarily in the 87th Congress to allow a member each from Alaska and Hawaii. The Senate is made up of 100 members, two from each state without regard for population. Presumably, this would be increased to 102 if the District of Columbia representation amendment, now pending, were to be ratified. Prior to the Seventeenth Amendment in 1913, senators were elected by their state legislatures, rather than by the voters directly.

A Resident Commissioner for Puerto Rico (elected for four years), and one delegate each from Guam, the Virgin Islands and the District of Columbia (elected for two years) are seated in the House of Representatives and complete the membership of Congress. They may introduce bills in the House and take part in debate, but not vote on the floor; however, they may vote in the House committees to which they are assigned.

Both senators and representatives must be residents of their states at the time of their election. In addition, a senator must be 30 years of age and must have been a United States citizen for at least nine years. Representatives must be 25 and have been citizens for seven years. *See also Congress, Terms of Office.*

congress, discipline and seating of members

Each house of Congress has authority to seat, refuse to seat, or discipline its members according to its own rules, within the general framework of the Constitution. While the two houses may censure or expel members for improper or disorderly conduct, they have done so rather infrequently. Between 1789 and 1975, seven senators and 18 representatives had been formally censured, and 15 senators and only three representatives expelled. Expulsion requires a two-thirds vote. Since censure may carry with it a loss of seniority, with a resultant loss of committee status and other attributes of power, it can have a serious effect on a member's subsequent political career.

With respect to seating, the Constitution states that each house "shall be the judge of the elections, returns, and qualifications of its own members." The power to exclude elected members was restricted by the Supreme Court in *Powell v. McCormack* (1969), and the rule today is that Congress must seat any member who is qualified and whose election was without irregularities. In a disputed election, either house may decide upon and seat a winner, declare the election void and require another, or leave the disputed seat vacant.

congress, terms of office

In accordance with the Twentieth Amendment (1933), which eliminated the alternate-year short session, members of both houses begin their terms on January 3rd of the year following the general election, regardless of whether Congress convenes on that date or somewhat later. Prior to 1933,

terms began on March 3rd, which allowed the losers to hang on as lame ducks for two months—in a Congress to which they had not been elected.

Representatives are elected for two years, i.e., one Congress. Senators are elected for six years, their terms being staggered so that one-third of the Senate seats are contested in any general election. Senators are divided into classes in accordance with the closing dates of their terms, a practice that began with the First Congress (1789), when the newly-elected senators drew lots to determine whether their terms should end in two, four or six years. The terms of the senators from the same state do not end at the same time. Of the two senators from a state, the one elected first is referred to as the "senior" senator.

If a senator or representative dies, withdraws or is expelled, the governor of the state must call a special election, unless the state legislature has authorized him to appoint a successor, as most have. A member so elected or appointed serves for the balance of the term only.

congressional budget and impoundment control act of 1974

This measure (P.L. 93–344, which became fully effective in fiscal 1977, requires Congress to put a ceiling on spending and a floor under revenues in each fiscal year. It forces Congress to establish priorities and relate total spending to total revenue, instead of handling revenues and spending measures separately as in the past. The congressional budget process involves a series of deadlines, the most important of which are May 15, when Congress completes its first budget resolution with budget targets, and September 15, when the budget targets are replaced by budget ceilings in the second concurrent resolution. This series of actions, which does not require Presidential approval, establishes a congressional budget analogous to the Administration's budget. It should be noted that the congressional projections can be very different from those put forward by the Executive Branch.

For targeting purposes, the budget is divided into 16 functional categories, such as Income Security, Community Development, or General Government. Education is in the "500 series," or category, along with labor and welfare. A Joint Congressional Budget Office manages the technical complexities and serves as staff for the new House and Senate Budget Committees. The law also provides for congressional control over impoundments, *q.v.* *See also Full Funding.*

congressional districts

Political subdivisions of substantially equal population, each of which elects and is represented by one member of the House of Representatives, except in six smaller states, each of which has one representative at large (Alaska, Delaware, Nevada, North Dakota, Vermont and Wyoming). Districts are redrawn by the state legislatures, when necessary, to reflect internal shifts in population or changes in apportionment, *q.v.* District boundaries rarely coincide with those of any other political subdivision. A district may incorporate several communities, or a member may represent only part of a large city. Nationwide, the average district has a population of about 450,000 (on the basis of the 1970 census).

Efforts to improve the federal Apportionment Act of 1929 and 1941 have failed, with the result that redistricting has been governed, to a great extent, by decisions of the Supreme Court. While the Court has demanded high standards of numerical equality, it has neglected other criteria such as compactness, contiguity and homogeneity in drawing district lines. Typi-

cally, the absolute deviation in population between the largest and smallest districts in any state is less than one percent.

congressional oversight The Legislative Reorganization Act of 1946 provides that each standing committee of either house "shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee . . ." Each committee reports on its oversight activities at the end of each Congress. This provision has expanded the investigative function of Congress and strengthened and legitimized its "watchdog" role. Congress is assisted in its oversight function by the General Accounting Office.

Congressional Record Proceedings of both houses have been reported since 1873 in the *Congressional Record*, issued daily by the Government Printing Office while Congress is in session. Between 1830 and 1873, Congress was covered by the privately-owned *Congressional Globe*. The *Record* reports debate in full, together with speeches, motions, all recorded votes and the major steps in parliamentary procedure.

Members are allowed to edit their statements and make substantial additions, with the result that remarks reported by the press may not show up in the *Record*, and some things may appear in the *Record* that didn't really get said on the floor. Since March 1, 1978, these unspoken speeches and interpolations have been marked off between "bullet" symbols. A "Daily Digest" section summarizes proceedings in each house and outlines the legislative program for the next day. An "Extension of Remarks" section allows members to develop their thoughts on issues and include extraneous matter from many sources. The Constitution requires each house to maintain a journal containing its minutes. These documents, less well known than the *Record*, have been maintained since the First Congress.

congressional veto Something of a misnomer, since regulations, rather than bills, are subject to nullification under Congressional veto provisions. The so-called "veto" clauses, estimated to appear in at least a hundred recent enactments, range from a simple requirement that an agency's proposed regulations be sent to Congress for review, to a requirement for congressional approval before a regulation can go into effect.

Congressional interest in veto provisions appears to reflect public displeasure with the "fourth branch of government," the federal bureaucracy. So far, no general veto law has been enacted, although several measures that would give Congress authority to disapprove almost any agency regulation have been proposed in recent years. Opposition by the leadership and important committee chairmen has been sufficient to defeat them.

consent calendar One of the five legislative calendars, or agendas, of the House. Bills may be shifted to this calendar from the House or Union calendars if they are considered to be noncontroversial. Bills on the Consent Calendar are called on the first and third Mondays of each month. On the first call, consideration may be blocked by one member and the bill carried over. On the second call, the bill is stricken and reverts to the House or Union Calendars if two or more members object. If no objection is made, the bill is passed by unanimous consent without debate. To be certain that bills on the Consent Calendar are actually minor and noncontroversial, they are examined by six "official objectors," three each from the majority and minority parties.

continuing resolution It sometimes happens that a fiscal year comes to an end before Congress has completed all of the appropriations bills awaiting passage. To keep the government in business, Congress then passes a joint resolution "continuing appropriations" for the affected agencies, usually at the existing level of funding. *Compare Supplemental Appropriation.*

co-sponsor Members of either house who join in the sponsorship of a bill, thus signifying their support, at least at the moment. Originally, the House did not permit co-sponsorship. In 1967, the House voted to allow co-sponsors to the limit of 25, a rule often circumvented by introducing the same bill more than once. Also, members may submit identical bills when they wish to support a measure, but do not want to become identified with other members whose party or political philosophy may be different.

deferral An Executive Branch action, or inaction, which temporarily withholds or delays the obligation or expenditure of budget authority. In effect, a deferral puts off the spending of appropriated money until later in the fiscal year. Under the Congressional Budget and Impoundment Control Act of 1974, the President must explain any proposed deferral in a special message to Congress. A deferral takes effect automatically unless either house objects to it within 45 days. A deferral may not continue past the end of a fiscal year.

deficit The amount by which a government's budget outlays exceed its budget receipts for a given period. Deficits are financed primarily by borrowing from the public. The opposite situation creates a surplus.

discharge a committee "Blasting" a bill out of committee. The release of a committee from further jurisdiction over a legislative proposal, with the effect of bringing the matter to the floor. This procedure, designed to prevent a committee from "smothering' a bill that the members in general wish to take action on, may be initiated by any member of the House if a committee does not report a bill within 30 days, but it isn't easy.

In the House, a discharge petition requires the signatures of a majority of members (218). Then, after a seven-day waiting period, any member who signed may move to discharge. If the motion is carried, the bill comes to the floor. Being privileged, it receives immediate consideration. If a request for a special ruling on a bill by the House Rules Committee has been held up for seven days, any member may move to discharge that committee. At times, a committee may be discharged by unanimous consent of the House, usually to bring some noncontroversial matter to the floor. In the Senate, a motion to discharge a committee may be offered by any member. It is carried by a majority vote.

due process Originally, a principle derived from the common law, restraining the executive branch from depriving persons of life, liberty or property by arbitrary means outside the normal course of the law. In the United States, the principle is embodied in many provisions of the Bill of Rights. Due process appears in the Fifth Amendment as a restraint on the federal government; in the Fourteenth Amendment as a restraint on the states.

Procedural due process governs administrative and judicial actions, which must be predictable, even-handed and available to all. No action in the nature of punishment or correction may be taken until an appropriate finding of guilt or noncompliance has been made in the normally prescribed manner. *Substantive due process* means that the courts will not enforce

arbitrary or unjust provisions of any law under which a person has been tried. The Supreme Court has used the concept of due process to strengthen other guarantees under the Constitution, and has assimilated most of the provisions of the first eight Amendments into the Fourteenth Amendment, so as to bar their infringement by the states.

election days By law, national general elections are held on the Tuesday after the first Monday in November, in even-numbered years. Although most state elections take place on the same day, a few states hold elections in November in the odd-numbered years.

engrossed bill The final, correct copy of a bill as passed by one house, together with amendments, attested by the signature of the Secretary of the Senate or the Clerk of the House, and ready to be messaged to the other for its action.

enrolled bill A bill ready for submission to the President, having been passed in an identical form by both houses, and signed first by the Speaker of the House and then by the President of the Senate. An enrolled bill is printed on parchment paper and examined for accuracy by the Committee on House Administration. Subsequently, the text of the bill serves as photoelectric offset copy for the printing of an accurate slip law. After signing, or passage without signature, the document is sent to the General Services Administration for numbering and is deposited in the National Archives.

executive calendar The Senate, which has but one calendar or agenda for all legislative proposals, uses the non-legislative Executive Calendar for Presidential matters such as nominations and treaties. The Senate's legislative calendar is known as the Calendar of Bills and Resolutions.

executive session A meeting of a House or Senate committee (rarely, the whole chamber), from which the press and public are excluded, but in which the testimony of witnesses may be received. Recently adopted "open meeting" policies in both houses have tended to diminish the use of executive sessions.

expenditure The spending of funds, as distinguished from their appropriation. Expenditures are made by federal departments and agencies, i.e., the Executive Branch, while appropriations are the work of Congress. Expenditures and appropriations are not identical in any given year, since appropriating action may have taken place one, two or more years earlier.

extension of remarks Both houses rather freely grant their members "leave to publish" undelivered speeches, communications, reprinted matter and other extraneous materials in the *Congressional Record's* "Extension of Remarks" section. The resulting anthology of Americana reveals much about the tastes, interests and problems of congressmen and their constituents.

Federal Register This periodical, now a daily, began publication in May, 1936, as the official notice board for agencies in the Executive Branch. Its importance was increased by the Administrative Procedures Act of 1946, which required all proposed and final regulations, notices of intended rulemaking, executive orders, reorganization plans, program deadlines and other material of importance to persons who deal with the federal government. Regulations gain the force of law upon publication in the *Federal Register*, which is keyed to the permanent *Code of Federal Regulations*. The *Register* also includes Presidential papers, the titles and numbers of newly-enacted public

laws, and various notices and findings by regulatory and other federal agencies.

filibuster Delaying tactics employed on the floor by a minority seeking to block a vote or compel a majority to modify its legislative program, usually by prolonged speech-making and dilatory motions. Until recently, Senate rules permitting unlimited debate favored the filibuster and made its termination by cloture almost impossible. Between 1917 and 1975, the Senate required the votes of two-thirds of the senators present and voting to cut off debate. In 1975, this rule was changed to provide that debate could be cut off by the vote of 60 senators, rather than 67 as under the prior rule, if all 100 were present and voting. The filibuster has been defended as a vital protection for minority rights, and as a defense for the small states against the larger ones, heavily represented in the other chamber. In the House of Representatives, unlike the Senate, the rules make real filibuster hard to sustain, although a "minifilibuster" can be staged by offering amendments, insisting on points of order and demanding roll call votes; all dilatory tactics that the Speaker usually quells.

fiscal year For planning and budgetary purposes, the financial year of the federal government does not coincide with the calendar year. Between 1921 and 1976, the fiscal year ran from July 1 to June 30. To meet the additional procedural demands of the new budget cycle under the Congressional Budget and Impoundment Control Act the beginning of the fiscal year was advanced three months, with the result that the 1977 fiscal year began October 1, 1976 and ended September 30, 1977. The three-month hiatus between the end of the old 1976 fiscal year and the beginning of fiscal 1977 constituted the "transition quarter." A fiscal year carries the date of the calendar year in which it ends.

floor action Action taken by a quorum of the full membership of either house on a bill or other measure as reported by a committee. Also, action by the Committee of the Whole in the House. Subject to the rules, members may introduce amendments, enter into debate, seek in various ways to prevent or promote the passage of a measure, and vote on its passage. In the House, floor action may be circumscribed by special rulings of the Committee on Rules.

A "floor fight" is said to take place when partisans and opponents of a controversial measure make use of carefully-concerted political and parliamentary tactics to gain their ends in a close contest. The custom of bringing bowie knives and loaded canes to the chambers was abandoned some years ago, but of procedural ingenuity there is no end.

floor leader A member designated by his party's caucus to take charge of party interests during legislative sessions. He may plan the course of debate, direct the submission of amendments, determine the order in which members of his party shall speak, and, through the whips, strive to maintain party solidarity. In the Senate, the floor leaders from the two parties largely decide when debate shall be closed and a vote taken. The Majority and Minority Leaders are recognized officers of the two houses, with special staff assistance and higher salaries than the members at large.

franking privilege The right of members of Congress to send official mail free of charge within covers bearing their signatures in facsimile in place of stamps. Members receive up to 40,000 public document envelopes per month for franked

mail. In addition, each member has substantial allowances for telephone calls and special delivery mail, and $5,000 annually for the publication of newsletters and the like. House and Senate have somewhat different rules on franked mail. Changes instituted in the 95th Congress might save some money by increasing the use of third class for some franked matter, but will be likely to increase the actual volume, particularly on the Senate side.

full funding Funding of federal programs through the appropriation of amounts substantially equal to the ceilings specified in the authorizing legislation, unless urgent considerations make such funding levels inadvisable. The adoption of the principle of full funding would put an end to the irresponsible practice of authorizing sums not seriously expected to be made available, and shift the burden of proof to any legislator who might propose appropriations significantly below authorized levels.

germaneness House rules require that amendments must be relevant to the subject matter of the bill involved. Both houses object to the attachment of substantive or authorizing amendments to an appropriations bill, or "legislating in a money bill."

The Senate's germaneness rule is limited to general appropriations bills, bills considered under cloture and proceedings under agreement to limit debate. Otherwise, senators are free to attach all manner of non-germane "riders." Prior to the Legislative Reorganization Act of 1970, the House was forced to accept such amendments or reject the bill. Today, the House may take a separate vote on any Senate amendment that would be non-germane under House rules.

hearings If a bill is of sufficient importance, or is controversial or complex, the committee to which it was referred may hold public hearings at which it will receive oral and written testimony from specialists, government officials, members of Congress or the public. Witnesses may volunteer their testimony, appear by request or be subpoenaed. Hearings may range from perfunctory, with a few witnesses appearing briefly before two or three committee members, to full-scale performances with heavy press coverage, lasting days or weeks.

Ordinarily, witnesses are expected to file their written statements prior to the hearing, and to limit their oral presentations to five minutes. In the House, each committee member is limited to five minutes in which to interrogate witnesses, until each member has been able to ask questions. A committee may hear testimony, but not vote, in the absence of a quorum. Transcripts must be made available for public inspection at the committee's office. Whether the proceedings will be printed in full is at the discretion of the committee.

hold harmless A regulation or statutory provision, usually financial in nature, providing that current beneficiaries under a specified grant-in-aid program will not suffer as a result of changes in law, regulations, formulas or funding levels. Payments under a hold harmless provision may receive a high priority. A form of "grandfather clause," also called a "save harmless" provision.

House The House of Representatives or, in lower case usage, either body or "house" of a bicameral legislature. "Chamber" may be a synonym, or it may refer to the actual meeting room of either house.

House calendar One of the five calendars or agendas of the House, listing bills that do not raise revenue or directly or indirectly appropriate money or property.

impoundment A general term referring to the withholding of budget authority from obligation, through deferral or rescission. On the federal level, impoundment amounts to a refusal on the part of the Executive to make use of money appropriated by the legislature, thus appearing to thwart the intent of Congress. This, incidentally, is one of the few situations not anticipated by the authors of the Constitution. In their experience, the executive—the Crown—had never been known to refuse appropriated funds. President Nixon's use of impoundment to achieve supposed economies led to the passage of the Congressional Budget and Impoundment Control Act of 1974, which gives Congress the final word on this practice.

Intent of Congress What they actually meant when they passed the law. The interpretation of a statute is faciliated by reference to the text of debate on the floor, committee reports, conference reports and other congressional documents serving to enlarge upon the statutory language and provide background information. Such materials lack the direct force of law, but are persuasive in the courts. Evidence of the intent of Congress can be decisive in the development of regulations, as well. In recent years, slip laws have included a "legislative history" note that provides reference to House, Senate and conference reports, and to debate in the *Congressional Record*.

item veto In some states, the governor may veto portions of an appropriation bill, and, in a few instances, other bills, without invalidating the remainder of the legislation. The President, who lacks this power, must accept or veto a bill in its entirety. This makes it possible to "veto proof" a bit of legislation by sending it up as a rider on some other bill that the President will be reluctant to veto, for political or practical reasons.

joint committee A committee made up of member of both houses, usually with investigative functions or operational responsibilities affecting both. Standing joint committees include the Joint Committee on Economics, the Joint Committee on Internal Revenue Taxation, and committees on printing and the Library of Congress, fewer than in the past. The Joint Committee on Defense Production and the once-powerful Joint Committee on Atomic Energy were not funded after fiscal 1977. The Joint Committee on Congressional Operations has become a House select committee with similar functions. None of the joint committees has authority to report legislation.

joint resolution Joint resolutions originate in either house and not, as the name suggests, jointly in both houses. In modern times, there is little distinction between a bill and a joint resolution, although the latter tend to be used for unusual or temporary matters, such as appropriating funds for the Presidential inauguration or to correct errors in previously passed statutes.

Bills and joint resolutions, with one exception, pass through the same procedural steps and create public law. A joint resolution, *not* signed by the President, is used when an amendment to the Constitution is proposed. A Joint resolution originating in the House is designated "H.J. Res.," plus a sequential number. A Senate joint resolution is designated "S.J. Res.," and numbered.

law (1) A bill or joint resolution that has been passed by both houses, signed by the President, passed over his veto or allowed to become effective without his signature. "Act" and "statute" are approximate synonyms. (2)

An order, ruling or regulation issued by a duly empowered agency pursuant to a legislative enactment. Hence the expression, "having the force of law." (3) The entire body of authoritative rules governing a political community, whether legislative, judicial, administrative or customary in origin, together with the principles of justice and propriety applied to their development and enforcement.

legislative day The official, rather than the calendar day, extending from the time either house meets until its next adjournment. In the House, where each day's work usually ends with an adjournment, legislative days and calendar days tend to coincide. In the Senate, a legislative day may extend over several calendar days.

lobbyist A person who seeks, either as an individual or an agent, to make members of Congress aware of the needs and interests of various elements in American society, and of the probable consequences of policy alternatives, so as to influence the development of legislation. A lobbyist or his organization may provide useful expertise in the drafting of bills and amendments, the conduct of investigations or the management of campaigns. The development of testimony and the recruitment of witnesses for committee hearings are important functions of the lobbyist. "Agency lobbying" directed to the Executive Branch is similar, except that it has to do with the development of regulations and program priorities, rather than legislation, and is of equal importance. The other important function of the lobbyist is the political education and coordination of his constituency group, so that its members can take a more effective and responsible part in the development of legislation and policy.

Legitimate lobbying, which provides congressmen with vital information and links them with the persons they serve, falls within the constitutional right of citizens to "petition for the redress of grievances." Although current laws designed to curb abuses in lobbying are widely understood to be inadequate, Congress has found it difficult to enact suitable controls over this basically necessary activity.

local entitlement A system of allocation under which federal funds are distributed to local units of government, such as school districts, according to local criteria and without the intervention of other levels of government. Under local entitlement, a school district can be relatively certain of its share of a given appropriation, and the state level is eliminated or reduced to a ministerial role.

maintenance of effort Federal grant-in-aid programs ordinarily require the recipient of funds to use the money to supplement rather than to supplant the financial contributions they would otherwise be making on behalf of the activity supported, and to maintain the level of support that existed prior to the federal grant. Particular years, populations or other criteria may be specified for purposes of comparison.

majority A *simple majority* is made up of more than half of those present and voting. In this glossary, "majority" usually refers to a simple majority. An *absolute majority* comprises more than half of those entitled to vote on a question, whether present or not. In the Senate, an absolute majority would be 51; in the House, 218. *See also Plurality; Quorum.*

majority leader A senior member elected by the caucus of the party in nominal control of either house to take charge of party strategy on the floor and otherwise

coordinate its efforts. The Senate majority leader controls the allocation of time for debate and holds a position of power. In the House, the majority leader tends to become the principal assistant to the Speaker, who is the party's effective leader on that side of Congress. The majority and minority leaders may also be called "floor leaders."

mark-up of a bill In either house, a committee or subcommittee session in which a bill is reviewed in detail, with language being added or deleted by amendment to meet the needs and objections of the committee members, usually after testimony has been taken in hearings. At this stage, the bill may be printed in expanded format with numbered lines to facilitate discussion and revision. If the bill is extensively revised or completely rewritten, the committee or subcommittee may order a "clean bill" printed, which will be reported under a new number.

Until recently, many mark-ups were held behind closed doors, with the press and public excluded. After the adoption of open meeting rules (House, 1973; Senate, 1975), open mark-ups became usual. There is reason to think that much of the close bargaining that characterized closed mark-ups is being done through telephone calls and informal caucuses, and that a large part of the traditional secrecy has been preserved.

matching grants Many categorical grant-in-aid programs require that every federal dollar be matched with one or more dollars from some non-federal source, and prospective grantees may be required to show that such funds are available.

A variation on the matching principle is *cost sharing*, wherein the grantee is expected to make some contribution to the total expense of a project. This may be nominal, or it may be a significant percentage of project cost. In other instances, the cost sharing requirement may be met by a contribution in kind, such as the provision of space, staff or materials.

member of Congress Both senators and representatives are properly termed members of Congress, since the Congress comprises both bodies, but the term most frequently refers to representatives. The related term "congressman" almost always means a member of the House.

minority leader In either house, performs duties of floor leader for the minority party.

motion Parliamentary request by a member for a substantive or procedural action, usually becoming effective upon minority vote, or with the approval of the presiding officer.

obligation A commitment made by a federal agency to pay out money for products, services, grants or other purposes, as distinct from actual payments. Obligations incurred by an agency may not be larger than its budget authority.

original bill Bills to carry out the recommendations of the President are introduced, as a rule, by the chairmen of the committees, that have jurisdiction over their subject matter. At times, the committees themselves may introduce and report "original bills" to carry out the Administration's program of legislation.

party caucus A closed meeting of the members of each party in each house. Caucuses meet in January just before each Congress and session to make organizational decisions, and occasionally during a session. In recent years, the Republicans have referred to their caucuses as *party conferences*. Many decisions formally attributed to the full membership of the respective houses, such as committee membership and the election of the Speaker of

the House and other leadership, are largely determined by committees in the party caucuses.

Each party organization has permanent steering committees, policy committees and campaign committees with professional staffs and regular publications. In addition, each party maintains a research staff (Democratic Study Group; Republican Study Committee) in both houses, to supply members with legislative information and policy materials. Although the party caucus cannot, ultimately, compel member acceptance of its decision, it continues to be a powerful instrument of party discipline and coordination.

plurality The margin by which the vote received by the leading candidate exceeds the vote for the next highest candidate, in a field of three or more candidates. While a plurality may be sufficient to carry an election, it may be substantially less than a majority.

pocket veto If Congress should adjourn during the ten-day period given the President for the consideration of an enrolled bill, he may withhold his signature and allow the bill to die, without explanation. If Congress remains in session, or should reconvene before the end of the ten-day period, the bill becomes law if the President does not sign. Federal courts have held that the pocket veto does not operate during short recesses.

point of order A question or objection raised by a member in either chamber as to the propriety of a motion or proceeding under the rules. The presiding officer must rule immediately, subject to an appeal to the members on the floor. Order is restored by suspending proceedings until the house conforms its conduct to the rules. At times, "point of order" has been used to delay or confuse the business of the house. Points of order may also be raised in committee. In the House, a special ruling of the House Committee on Rules may limit the number of points of order that may be raised in debate on a particular bill. When a chamber is in an uproar, which can happen, a member may raise a "point of no order."

powers of Congress The Constitution defines the powers of Congress in Article I, Section 8. Included are the power to assess and collect taxes, often called the chief power; to regulate commerce, both interstate and foreign; to coin money; to establish post offices and post roads; to establish courts inferior to the Supreme Court; to declare war; to raise and maintain an army and navy. Congress is further empowered "To provide for calling forth the Militia to execute the laws of the Union, suppress Insurrections and repel Invasions;" and "To make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

In most respects coequal, the Senate and House have certain special powers reserved to each of them under the Constitution. A large number of Presidential nominations to appointive office require the consent of a majority of the Senate, and all treaties must be approved by two-thirds of the Senate. All revenue bills must originate in the House. In practice, the House also originates appropriation bills, although this is not specified by the Constitution. Both houses act in impeachment proceedings, the House having the power of impeachment (analogous to indictment), while the Senate sits as a court to try impeachments. Finally, if no person receives a majority of

votes for President in the electoral college, the final election is decided by the House, with each state having one vote. This situation, which the framers of the Constitution thought would be frequent, has actually occurred only twice: in 1801, when the House chose Jefferson over Burr; and in 1825, when John Quincy Adams was selected rather than Andrew Jackson.

President of the Senate The Vice President serves as p. esiding officer of the Senate. Not a member, he votes only in the event of a tie.

President *pro tempore* The presiding officer of the Senate in the absence of the Vice President. The practice, for some time, has been to elect to this post the majority party senator with the longest continuous service. In the event of his own absence, the President *pro tempore* will appoint an acting *pro tem*. In the early days, the President *pro tempore* was held to act for the occasion only. Since 1976, they have served "until the Senate otherwise ordered." One senator often holds the position through several sessions.

Presidential documents Presidential speeches, news conferences, messages and other items made public by the White House are published in the *Weekly Compilation of Presidential Documents* and cumulated annually in the *Public Papers of the Presidents*. Presidential proclamations and Executive Orders having the force of law also appear in the daily *Federal Register*.

public laws, names and numbering Most recent statutes include an official "short title" by which they may be cited. In addition, many laws have acquired unofficial or popular names such as the Taft-Hartley Act or the Homestead Laws. There is no requirement that a law have an official title. Many of our early statutes did not, and the practice has been neglected from time to time, even recently, The two enactments creating the Impact Aid program (which itself has had several names) were untitled, and are cited as P.L. 81–815 and P.L. 81–874. Well-known bills are likely to be named after their sponsors, even before they are enacted. The official title of a *bill*, however, is a brief descriptive phrase reading "An Act to establish (authorize, provide) . . ., and other purposes." Printing this title in the *Congressional Record* carries out the first of the three parliamentary "readings" needed before a bill can pass.

Where substantial new authorizing language is added to an existing law by amendment, the new section may contain an official title for citation as an act in its own right. For example, Title V of the Higher Education Act of 1963 (added by amendment in 1967) may be cited as the Education Professions Development Act. Public laws are designated by the Congress in which they are passed, plus a sequential number indicating the order of enactment, e.g., P.L. 94–588, the last public law of the 94th Congress. Enactment refers to a point at which a law is signed by the President, passed by veto override, or allowed to take effect without signature.

quorum The minimum number of members required to be present for action to be taken in a legislative body. In both House and Senate, a simple majority of members constitutes a quorum (51 in the Senate; 218 in the House, if there are no vacancies). A quorum is 100 when the House sits as Committee of the Whole, *q.v.* If a quorum is not present, a house may adjourn, refrain from taking action or direct its Sergeant-at-Arms to round up some of the absentees. The presence of a quorum may be ascertained by a roll call. In 1890, Speaker of the House Reed instituted the practice of directing the Clerk to add to the role the names of those present in the chamber but

refusing to answer ("disappearing quorum"). In committee, where a majority also constitutes a quorum, less than a quorum may meet and hear testimony, but not vote.

quorum call When a vote is to be taken, members are summoned by a system of lights and bells in their respective office buildings.

readings of a bill English parliamentary practice, copied by our Congress, required that a bill should be read three times in the chamber before it could be passed. The printing and distribution of bills, and the press of business, has made this practice obsolete. Today, a bill has its first reading when it is introduced and printed by title in the *Congressional Record*. The second reading comes on the floor after general debate. The bill may be read section-by-section, and amendments may be offered to a section when it is read, to the extent permitted by the rule granted by the Rules Committee, if in the House. The third reading, usually by title, follows floor action on amendments, after which the "question is taken" on its passage.

recess In contrast with adjournment, a recess does not end the legislative day and does not interfere with the continuation of business. The Senate makes frequent use of the recess, thus extending its legislative day over several calendar days. The House originally adjourns from day to day.

recommit a bill A motion made on the floor to send a bill back to the committee reporting it, usually with the effect of killing the bill. In the House, this motion must be made by a member opposed to the bill. The motion may direct the committee to report the bill with certain specified amendments by a stated date, or it may call for further study. After the previous question has been ordered on the passage of a bill or joint resolution, it is in order to make one motion to recommit; a last chance for the opposition to prevail before the final vote.

regions and regionalization Many federal agencies have found it appropriate to conduct a part of their business through regional offices, dividing the country into from five to a dozen geographical areas in accordance with their missions. Under President Nixon, a partially successful effort was made to conform agency regions to nine (later ten) standard areas. Properly implemented, the policy can improve agency accessibility and responsiveness.

Regionalization refers to the policy of transferring much program responsibility from the national to the regional level. Instead of serving as "field offices," the regions now take on much of the decision-making that was done in Washington. Because Washington is not really able to let go of its responsibilities under law, this policy may increase bureaucracy by interposing another level between programs and their clients. This trend has been reversed in recent years, and normal patterns of communication and authority are being reestablished.

regulation A rule made by an executive officer charged with the administration of a law, for the guidance of his agency and the persons and organizations affected. An official interpretation of a statute, detailing the steps to be taken in its administration and enforcement. Authorizing acts usually direct the agency head to develop implementing regulations.

Under the Administrative Procedures Act and Section 431 of the General Education Provisions Act, new or changed regulations must be published in the *Federal Register* and the public given time and opportunity to com-

ment. The stages in the promulgation of a regulation are: (1) notice of intent to publish new or changed regulations, (2) proposed regulations, (3) revision following comment, and (4) final regulations. Only the latter have legal force.

rescission Legislation enacted by Congress at the request of the President to cancel some previously-granted budget authority. Rescission amounts to taking back part of an appropriation and, possibly, terminating some authorized activity. Under the 1974 Congressional Budget and Impoundment Control Act, the President must submit a message explaining his reasons for the proposed rescission.

If Congress does not approve the action within 45 days, the money may be expended. Small rescissions brought about by changed conditions are rather common. This may be contrasted with deferral, *q.v.*, which takes effect immediately and remains in effect unless Congress objects. Deferral postpones spending; rescission cancels part of an appropriation.

revenue sharing The practice of redistributing or returning a part of the tax income of the federal government to the states and localities, in such a way as to offset fiscal inequities and compensate for relative declines in tax resources at the lower levels of government.

The rationale for revenue sharing is three-fold: (1) Federal tax receipts, based on the income tax, are believed to grow more rapidly than the economy as a whole, whereas state and local receipts, dependent on sales and property taxes, tend to lag behind the general economy and behind the cost of providing governmental services. (2) For various reasons, many areas do not have the tax resources to support services such as education at acceptable levels. (3) It is believed that fiscal assistance through revenue sharing serves to return decision-making responsibility to the state and local levels, since the uses of the money are not mandated.

rider An amendment, usually irrelevant, added to a bill so that opponents will have to accept the additional language or forego the bill; a device to embarrass the Administration or secure the passage of a measure that could not pass by itself. At times, a provision that the President would prefer to reject can be "veto-proofed" by attaching it to an important bill that he cannot afford to veto. Riders are sometimes added to appropriations bills, in disregard of House and Senate rules against "legislating in a money bill." Since 1970, the House has been able to take a separate vote on Senate riders that would be non-germane under the rules of the House.

roll call Calling the names of members on the floor or in committees for a recorded vote or to ascertain the existence of a quorum.

rule (1) A decision of the House Committee on Rules which, if adopted by a majority vote of the House membership, governs the manner in which a reported bill is to be debated and amended on the floor. (2) A standing regulation governing proceedings in either house, published in its compilation of rules and precedents. Rules in this sense may be created or modified by resolutions in either house, and reflect years of parliamentary experience.

Within the general framework of the Constitution, which offers little guidance for the internal operations of Congress, each house is free to adopt its own rules, elect its own officers, and seat and discipline its members.

The House of Representatives adopts its rules anew when it reorganizes at the beginning of a new Congress. Since the Senate is organized as a continuing body, its rules are regarded as permanent.

select or special committee A committee created by a simple resolution in either house, the jurisdiction of which is limited to investigating and reporting on a specific subject, and which expires when that service is completed. This impermanence is relative, however. Some select committees have been in existence for at least a decade. In the House, a select or special committee must be reestablished each Congress. Some authorities find special committees to be the more mission-oriented, while others see no distinction.

seniority rule With respect to committee assignments, the custom in both houses is that a member who has served on a committee in previous Congresses is entitled to reappointment, and to enjoy rank in accordance with his years of continuous service. The majority member with the longest service is likely to be named chairman, although the party caucus doesn't always follow this rule. Subcommittee assignments and chairmanships, usually governed by committee chairmen, are normally based on seniority together with the preferences of the members. Among members who entered Congress at the same time, weight is given to previous service in elective office (as governor, state legislator, or member of the opposite house; now lower).

simple resolution Either house may initiate and adopt a simple resolution concerning its own internal operations without the action of the other and, of course, without Presidential approval. Simple resolutions are designated "H. Res." or "S. Res.," with sequential numbers. If adopted, they are published in the *Congressional Record* and entered in the *Journal*.

Speaker of the House Presiding officer of the House of Representatives. The Speaker rules on questions of order; appoints chairmen of the Committee of the Whole; signs acts, warrants, subpoenas and orders of the House; appoints conference and special committees; and appoints the parlimentarian and other officials. Prior to the "congressional revolution" of 1910–11, the Speaker appointed all standing committees and was chairman of the Committee on Rules, a combination that went far to justify Speaker Reed's observation that his position was the "highest in the gift of the republic."

Unlike the presiding officer of the Senate, the Speaker is an elected member and is leader of his party on his side of Congress. He may vote, but by custom rarely does so except to break or create a tie. The Speaker is elected by the House (in actuality, by the caucus or the majority party) at the opening of each Congress. He may designate any member to preside in his absence.

standing committees Permanent committees provided by House and Senate rules, and having among them explicit jurisdiction over nearly the whole possible subject matter of legislation. The Legislative Reorganization Acts of 1946 and 1970 reduced the number of House and Senate standing committees from 48 and 33 to 21 and 17 respectively.

sunset law A law requiring specified agencies, or groups of agencies with related functions, to terminate their existence at the end of a stated period and then justify their continuation before Congress. Closely related to zero-base budgeting.

sunshine law A law or regulation requiring the deliberations of a legislative or admin-

istrative body to be open to the press and public, unless considerations of privacy or security dictate otherwise. Committee meetings in the House and Senate have been open since 1973 and 1975, respectively. A "government in the sunshine" law signed in 1976, P.L. 94–409, applies to agencies headed by commissioners appointed by the President, thus including most of the powerful regulatory agencies. "Open record" laws require the transcripts, but not the meetings themselves, to be open to the public. At present, every state has an open meeting or an open record law.

supplemental appropriation An appropriation passed out of the normal order (1) to defray unanticipated or extraordinary expenditures, or (2) to fund activities authorized too late for the normal budgetary deadlines. Unlike continuing resolutions, supplementals are public laws and require the signature of the President—who may have requested the money.

table a measure A majority can suspend consideration of any pending measure by a motion to table. Tabling usually amounts to a final and adverse disposition of a bill. When a measure is tabled, a vote of two-thirds is required to return it to the floor. An amendment may be tabled without prejudice to the bill itself. Tabling may also take place in committee, with the same fatal effect. The Senate allows a motion to "lay on the table," a less drastic action which has the effect of preserving the bill for later consideration.

unanimous consent In either house, noncontroversial motions, amendments or bills may be passed without a vote if no member raises an objection from the floor. "Without objection" is a synonym for unanimous consent. The same practice exists in committee deliberations.

United States Code An official compilation of the permanent and general laws of the United States, codified under 50 titles. The first six deal with general and political matters. The remaining 44 are alphabetized from Agriculture to War. The *Code* is supplemented after each session of Congress and revised every six years. The privately-distributed *United States Code Annotated* combines the same statutory materials with historical notes, court decisions and rulings of the Attorney General.

upper and lower houses The Senate and the House of Representatives, respectively. Inasmuch as the houses of Congress are equal in dignity and in their ability to initiate, debate and act upon legislation, many authorities consider it improper to refer to them as "upper" and "lower" houses, particularly since their members are now elected by the same body of voters, without regard to social or other distinctions. The authors of the Constitution apparently relied on the Senate, stable and propertied, to curb the democratic ebullience of the House—but that was then.

veto The right of the President to return a bill or joint resolution unsigned to the house of origin, with a written statement of his objections to it, within ten days of its delivery to him after passage by Congress, thereby preventing it from becoming law unless it can be re-passed over his veto. The ten-day period excludes Sundays and national holidays, but not Saturdays.

veto override If the President returns a bill unsigned and with objections stated in writing within ten days of its delivery to him, it does not become law unless Congress can re-pass it with a recorded vote of two-thirds (of a quorum) in both houses. The bill is sent by the President to the house in which it originated. Privileged, it is voted upon immediately and, if the requisite vote is ob-

tained, is referred to the other house for its action. If not successful in both houses, the bill is dead.

voting procedures The House now uses three methods for taking votes on the floor. In committee, voting practices are limited, usually, to voice votes and roll calls. According to most committee rules, roll call or recorded votes may be demanded by any member. The voting procedures used by the House are as follows:

(1) *Voice votes* are the most frequent. All those in favor answer "aye," in chorus, followed by the "no" votes, also in unison. The presiding officer decides "by ear."

(2) If any member thinks the Speaker has erred in judging a voice vote, he may demand a *standing vote*, technically known as a "division of the House." All in favor, and then all opposed, stand and are counted by the Clerk.

(3) A *roll call vote*, also known as a *recorded vote*, may be demanded by one-fifth of the members present (at least 44).

whip The whips serve as first assistants to the majority and minority leaders in both houses. Along with other duties, they remind members to be present for votes, arrange pairs, conciliate disaffected members and keep the leadership informed about the attitudes of the rank and file. In today's House and Senate, the whips offices have important information functions, issuing notices, schedules and policy materials to the members of their parties. In the House, the Majority Whip has the assistance of three deputy whips.

zero-base budgeting Experience shows that the natural tendency of bureaucracies is to persist, and that change in bureaucratic structures, to the extent that it happens at all, takes the form of growth and expansion, with each year's budget request adding something to the past year's expenditure level. Very often, this takes place without any real changes in an agency's services, either in kind or quality.

Zero-base budgeting proposes to attack the problem of bureaucratic expansion by forcing each agency of government to come before the appropriate legislative body and justify its entire existence, not merely its proposed increase for the coming year. At this point, each agency would start over at the beginning, or "zero base," with no certainty of continuation on any level.

Most federal zero-base proposals call for program review by functional areas, such as education, welfare or law enforcement, so that Congress will be able to compare and eliminate programs that are duplicative, obsolete, inactive or ineffective according to their own missions and priorities. Review, according to most proposals, would take place according to a cycle of five years or more.

SCHOOL FINANCE AND TAX TERMS

These are a number of tax, education and statistical terms that are used in school finance research and policy analysis.

ADA, ADM *ADA* is an abbreviation for student average daily attendance and *ADM* is an abbreviation for student average daily membership. *ADA* and *ADM* are the official measures that most states use to represent the number of students in a school district for the purpose of calculating state aid. *ADA* is always less than *ADM*.

assessment ratios The assessed valuation of property in most states is usually less than the market value of the property. In other words, owners are able to sell property for a price higher than the assessed valuation of that property. Although most states have a legal standard at which all property should be assessed, assessed valuations are usually below even the legal level and may vary widely among jurisdictions in a state. The actual assessment level or assessment ratio is determined by comparing actual assessed valuations to market values.

assessed valuation The assessed valuation is the total value of property, subject to the property tax in a school district. Usually, it is established by a local government officer and is only a percentage of the market value of the property.

categorical programs Categorical programs refer to state aid that is designed for specific programs. Examples would be transportation aid, special education aid and aid for adult education and vocational education. Equalization formula aid is not an example of categorical aid. Formula funds provide general aid that can be used for any purpose.

current operating expenditures Current operating expenditures include education expenditures for the daily operation of the school program such as expenditures for administration, instruction, attendance and health services, transportation, operation and maintenance of plant and fixed charges.

district power equalization District power equalization (DPE) refers to a state equalization aid program that "equalizes" the ability of each school district to raise dollars for education. In a pure DPE program, the state guarantees to both property-poor and property-rich school districts the same dollar yield for the same property tax rate.

equalization formula aid Equalization formula aid is financial assistance given by a higher-level government—the state—to a lower-level government—school districts—to equalize the fiscal situation of the lower-level government. Because school districts vary in their abilities to raise property tax dollars, equalization formula aid is allocated to make the ability to raise such local funds more nearly equal. In general, equalization formula aid increases as the per-pupil property wealth of a school district decreases.

flat grant program A flat grant program simply allocates an equal sum of dollars to each public school pupil in the state. A flat grant is not an equalization aid program because it allocates the same dollars per pupil regardless of the property

or income wealth of the local school districts. However, if no local dollars are raised for education and all school dollars come from the state, a flat-grant program becomes equivalent to full-state assumption.

foundation program A foundation program is a state equalization aid program that typically guarantees a certain foundation level of expenditure for each student, together with a minimum tax rate that each school district must levy for education purposes. The difference between what a local school district raises at the minimum tax rate and the foundation expenditure is made up in state aid.

full-state assumption Full-state assumption (FSA) is a school finance program in which the state pays for all education costs and sets equal per-pupil expenditures in all school districts. FSA would satisfy the "uniformity" standard of equity. Only in Hawaii has the state government fully assumed most of the costs of public education.

median family income Median family income usually is that reported in the U.S. Census. It reflects income. If the income of all families in a school district were rank ordered, the median income would be the income of the family midway between the lowest and the highest income families.

progressive tax A progressive tax is a tax that increases proportionately more than income as the income level of the taxpayer increases. Under a progressive tax high-income taxpayers will pay a larger percent of their incomes toward this tax than low-income taxpayers.

proportional tax A proportional tax is a tax that consumes the same percent of family income at all income levels.

regressive tax A regressive tax is a tax that increases proportionately less than income as the income level of the taxpayer increases. Under a regressive tax low-income taxpayers will pay a larger percent of their incomes toward this tax than high-income taxpayers.

revenue gap A revenue gap exists when projected expenditures exceed projected tax revenues. Although revenue gaps usually are not allowed to exist in fact for current fiscal years, of importance are the projected values. If revenue gaps are projected, tax rate increases of expenditure cuts, both politically difficult, will be required.

school district tax rate School district tax rate is the term states use to indicate the local school property tax rate. The tax rate often is stated as the amount of property tax dollars to be paid for each $100 of assessed valuation or, if given in mills, the rate indicates how much is raised for each $1000 of assessed valuation. For example, a tax rate of $1.60 per hundred dollars of assessed valuation means that a taxpayer pays $1.60 for each $100 of his or her total assessed valuation; a tax rate of 16 mills indicates that $16 must be paid for each $1000 of assessed valuation.

state aid for current operating expenses State aid for current operating expenses is the sum of the equalization formula aid and categorical aid for vocational education, adult education, special education, bilingual education, transportation and other categorical aid programs.

ADULT EDUCATION ASSOCIATIONS & ORGANIZATIONS

Adult Education Association of the U.S.A.
810 18th Street, N.W.
Washington, D.C. 20036

(202) 347-9574

American Association of Community & Junior Colleges
One Dupont Circle, N.W.
Suite 410
Washington, D.C. 20036

(202) 293-7050

American Association of School Administrators
1801 N. Moore
Rosslyn, Virginia 22209

(703) 528-0700

American Association of University Women
2401 Virginia Avenue, N.W.
Washington, D.C. 20037

(202) 785-7700

American Federation of Teachers
11 Dupont Circle, N.W.
Washington, D.C. 20036

(202) 797-4400

American Society for Training & Development
One Dupont Circle, N.W.
Suite 400
Washington, D.C. 20036

(202) 659-9588

American Vocational Association, Inc.
2020 North 14th Street
Arlington, Virginia 22201

(703) 522-6121

Association for Continuing Higher Education
University of Tennessee
451 Extension Building
Knoxville, Tennessee 37916

(615) 974-6629

Association of Independent Colleges & Schools
1730 M Street, N.W.
Suite 405
Washington, D.C. 20036

(202) 659-2460

B'NAI B'RITH
1640 Rhode Island Ave., N.W.
Washington, D.C. 20036

(202) 857-6600

Church Women United: Volunteers in Community Services Committee
475 Riverside Drive
Room 812
New York, New York 10027

(212) 870-3035

Coalition of Adult Education Organizations
810 Eighteenth Street, N.W.
5th Floor
Washington, D.C. 20006

(202) 347-9574

Commission of Professors of Adult Education of AEA of U.S.A.
University of Nebraska
Adult Education
Henzlik Hall
Lincoln, Nebraska 68508

(402) 472-2868

Corporation for Public Broadcasting
1111 16th Street, N.W.
3rd Floor
Washington, D.C. 20036

(202) 293-6160

Council of Chief State School Officers
400 North Capitol St.
Suite 379
Washington, D.C. 20001

(202) 624-7702

Council of National Organizations of Adult Education
810 18th Street, N.W. Washington, D.C. 20036

(202) 296-7297

Education Commission of the States
1860 Lincoln Street
Denver, Colorado 80203

(303) 861-4917

Institute of Lifetime Learning
1909 K Street, N.W.
6th Floor
Washington, D.C. 20049

(202) 872-4800

National Academy for Adult Jewish Studies of United Synagogue Comm. on Jewish Education
155 Fifth Avenue
New York, New York 10010

(212) 533-7800 Ext. 310

National Association for Public Continuing and Adult Education
1201 16th Street, N.W.
Suite 429
Washington, D.C. 20036

(202) 833-5486

National Association of Educational Broadcasters
1346 Connecticut Ave., N.W.
Washington, D.C. 20036

(202) 785-1100

National Association of Independent Colleges & Universities
1717 Massachusetts Ave., N.W.
Suite 503
Washington, D.C. 20036

(202) 387-7623

National Association of Secondary School Principals
1904 Association Drive
Reston, Virginia 22091

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